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ABSTRACT

This report is Part 2 of the Advisory Commission's second assessment of The Omnibus Crime Control and Safe Streets Act of 1968. The first assessment was made in 1970. The report is divided into two major sections: (1) a comparative analysis of the 10 case studies of Safe Streets experience and individual state reports; and (2) the questionnaires used in the Commissions 1975 Safe Streets survey, and response rate tables. (PFS)

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Safe Streets Reconsidered: The Block Grant Experience 1968-1975

PART B

Case Studies

THE INTERGOVERNMENTAL GRANT SYSTEM:
AN ASSESSMENT AND PROPOSED POLICIES

ADVISORY
COMMISSION
ON
INTERGOVERNMENTAL
RELATIONS
Washington, D.C. 20575
January 1977

A-55a

U.S. DEPARTMENT OF HEALTH,
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Preface

Pursuant to its statutory responsibilities outlined in Section 2 of Public Law 380, passed by the first session of the 86th Congress and approved by the President on September 24, 1959, the Commission singles out for study and recommendation particular problems impeding the effectiveness of the federal system.

The block grant instrument was identified as such an important intergovernmental problem by the Commission in September 1974. The staff was directed to prepare an analysis of experience under four of the five Federal grant-in-aid programs existing at that time that employ this approach: the *Partnership for Health Act of 1966;* the *Omnibus Crime Control and Safe Streets Act of 1968;* the *Comprehensive Employment and Training Act of 1973*; and the *Housing and Community Development Act of 1974.* The assessment of each of these programs and the lessons gained therefrom is one component of the Commission's comprehensive study of *The Intergovernmental Grant System: An Assessment and Proposed Policies.*

This report is the Commission's second look at the *Safe Streets Act*. In our 1970 report, *Making the Safe Streets Act Work: An Intergovernmental Challenge,* we concluded that the block grant was "a significant device for achieving greater cooperation and coordination of criminal justice efforts between the States and their political subdivisions." The Commission recommended that the Congress retain the block grant approach and the states make further improvements in their operations under the act. The purpose of this later report is to determine how well the block grant has worked since that time and what statutory and administrative changes are desirable now.

This report was approved at a meeting of the Commission on November 17, 1975.

Robert E. Merriam
Chairman

Acknowledgments

This volume was prepared by the Governmental Structure and Functions section of the Commission. Major responsibility for the staff work was shared by Carl Stenberg — project manager — and Lynn Dixon, Keith Miles, H. J. "Skip" McDonough, Barbara Norton, and Marianne Zawitz. Valuable statistical assistance was provided by Dorothy Lawrence, Lin Lee, and Ian Littman. The secretarial-clerical services of Margaret Moore — project secretary — Patricia Alston, Ann Goldsmith, Janet Graves, Marguerite Philpot, and Linda Silberg were indispensible. Joseph Foote and staff provided expert editorial and production services. Library assistance was furnished by Carol Monical Wright.

The Commission and its staff had the benefit of review by and comment on this work from a large number of persons knowledgable about law enforcement and criminal justice. Those who were involved in "thinkers" and "critics" sessions on the scope, methodology and results of the study, or who reviewed individual draft chapters, included: John Pickett, James Gregg, Robert Diegelman, Blair Ewing, Charles Lauer, and Daniel Skoler, of the Law Enforcement Assistance Administration; Richard Harris, Richard Wertz, and Henry Wiseman, of the National Conference of State Criminal Justice Planning Administrators; Mark Alger of the Executive Management Service, Inc.; Richard Fogel, Richard Groskin and Ronald Wiggins, of the General Accounting Office; Clifford Graves, Robert Gardner and Donald Smith, of the Office of Management and Budget; Ava Abramowitz of the U.S. Department of Justice; Richard Nathan of the Brookings Institution; Susan White of the National Academy of Sciences; James Martin and John Lagomarcino, of the National Governors Conference; John McKay and Nancy Loving of the National League of Cities-U.S. Conference of Mayors; Duane Baltz and Donald Murray, of the National Association of Counties; Jeffrey Esser of the National Conference of State Legislators; Ralph Webster, of the National Association of Regional Councils; and Stanley Wolfson, Barbara Grouby, Mary Schellinger and Carole Pigeon, of the International City Management Association.

A special note of thanks is extended to the executive directors and professional staff members of the ten state planning agencies in the states selected for case study analysis — for their patience, cooperation and assistance. In addition, the Commission wishes to express its appreciation to Jane Roberts, consultant to the National Conference of State Criminal Justice Planning Administrators, for her valuable assistance during the data collection phase of this report.

The Commission gratefully acknowledges financial assistance from the National Institute of Law Enforcement and Criminal Justice of the Law Enforcement Assistance Administration and the U.S. Department of Health, Education and Welfare.

Completion of this study would not have been possible without the help of the persons and agencies identified above. Full responsibility for content and accuracy rests, of course, with the Commission and its staff.

Wayne F. Anderson
Executive Director

David B. Walker
Assistant Director

Glossary

Listed below is a glossary of terms that occur in this report. References to the "act" are to the Crime Control Act of 1973 (Public Law 93-83).

A-87—the Office of Management and Budget circular containing Federal regulations on project costs in grants to state and local governments.

A-95—the Office of Management and Budget circular establishing a process for project notification and review to facilitate coordinated planning and project development on an intergovernmental basis for certain Federal assistance programs.

A-102—the Office of Management and Budget circular establishing a uniform administration requirement for grants-in-aid to state and local governments.

Assumption of costs—the process by which a state or local government assumes the cost of a program after a reasonable period of Federal assistance.

Block grant—the LEAA funds awarded to a state as its Part C annual action grant. The block grant accounts for 85 percent of appropriations under the act.

Buy-in—under Section 303(2), Part C of the act, states are required to contribute 25 percent of the non-Federal funds for a project.

CJCC—criminal justice coordinating council.

Comprehensive plan—a document containing a state's total statement of criminal justice resources, problems, priorities and planned programs. Comprehensive plans are prepared annually and submitted to LEAA for approval.

Continuation funding—continued Federal funding of a project beyond the initial award period.

Crime index offenses—offenses aggregated in the annual FBI "Uniform Crime Reports." The seven index offenses are: criminal homicide, forcible rape, robbery, aggravated assault, burglary, larceny-theft and motor vehicle theft.

Discretionary grant—the money LEAA awards to individual state or local agencies to initiate, continue, improve or expand on a particular criminal justice program. Award of discretionary grants is contingent upon LEAA's approval of a discretionary grant application. Discretionary grants account for 15 percent of the action funds allocated annually by LEAA.

GMIS—Grants Management Information System. Information from the grant award document and the grant manager is fed into a data bank in the LEAA central office. This information is updated by any changes that are made in the grant during the course of the project.

Hard match—grant money that is "matched" by the grantee with cash.

High Impact Anticrime program—an LEAA program implemented in 1972 in eight cities to reduce stranger-to-stranger crime and burglary and to demonstrate the effectiveness of crime-specific planning as a means of reducing crime.

Lapsed funds—funds not utilized that revert to LEAA and are reallocated among the states by LEAA.

LEAA—Law Enforcement Assistance Administration, part of the U.S. Department of Justice.

Match—the contribution that states are required to make to supplement Federal grant monies.

NCJISS—National Criminal Justice Information and Statistics Service, operated by General Electric for LEAA.

NCSCJPA—National Conference of State Criminal Justice Planning Administrators.

NILECJ—National Institute of Law Enforcement and Criminal Justice, part of LEAA.

90-day rule—the statutory requirement whereby applications for block grants from units of local government must be approved or disapproved no later than 90 days after receipt by the SPA.

OLEA—Office of Law Enforcement Assistance, the predecessor to LEAA.

ORO—Office of Regional Operations, part of LEAA.

Part B/Planning Grant—Part B of Title I of the act provides for the creation of the state planning agencies and the allocation of funds to the state planning agencies for criminal justice planning purposes. There are two kinds of planning grants—advance and annual.

Part C/Action Grant—Part C of Title I of the act provides for funds to carry out various programs planned under Part B of the act. Eighty-five percent of the action funds are allocated in block grants based on population; 15 percent of the action funds are distributed as discretionary grants.

Part E—Part E of Title I of the act provides funds for the improvement of correctional facilities. Fifty percent of Part E allocations are distributed on a formula basis and 50 percent are discretionary grants.

Pilot Cities program—a broad-based test and implementation program designed to improve each aspect of the criminal justice system in two medium-size cities—San Jose, Calif., and Dayton, Ohio.

RPU—regional planning unit.

SAC—Statistical Analysis Center. About 35 states have SACs, whose function is to provide and disseminate objective analysis of criminal justice data.

Soft match—grant money that is "matched" by something other than money, such as personnel, facilities, etc.

SPA—state criminal justice planning agency.

Special conditions—specific conditions attached by LEAA to a comprehensive plan, block grant or discretionary grant.

Troika—the three-person administration that headed LEAA prior to the 1971 amendments to the Omnibus Crime Control and Safe Streets Act of 1968.

Uniform Crime Reports—annual compilation of crime index offenses published by the FBI.

Variable pass-through—under amendments to Section 303(2), Part C of the act, states are required to pass through to local units of government a percentage of action funds equal to their share in total non-Federal expenditures for law enforcement during the preceding fiscal year.

Contents

Preface
Acknowledgments
Glossary

Chapter I **Introduction** 1
- Block Grant Characteristics 1
- Safe Streets and the Block Grant Experiment 2
- Purpose of the 1975 Study 2
- Data Sources 4
- Organization of the Report 5

Part I **THE SEVEN-YEAR RECORD** 7

Chapter II **Congress and Safe Streets: Continuity and Change in Intent** 9
- The War on Crime 9
  - President's Commission on Law Enforcement and Administration of Justice 11
  - The Block Grant Arrives 12
- Categorization and Clarification 15
  - The 1971 Amendments 15
- Law Enforcement Special Revenue Sharing 21
- The Crime Control Act of 1973 23
- Earmarking: The Case of Juvenile Justice 26
- The Federal Role: Expectations and Realities 28

Chapter III **Implementing the Safe Streets Act** 31
- The Federal Role Prior to 1968 32
- Administrative Response to the Safe Streets Act: The First Year 33
  - Administration Under the "Troika" 34
- The New Federalism at LEAA 38
  - Activities Following the 1973 Amendments 40
- Continuing Administrative Issues and Problems 43
  - Changes in Leadership 43
  - Relationships with the States 44
  - The Administration of Discretionary Funds 46
- Summary 47

Appendix III-1 LEAA Priorities 49
Appendix III-2 Interviews Conducted 50

Chapter IV **Safe Streets Planning and Decision-Making** 51
State Planning Agency Organization 52
Functional Responsibilities 54
Part B Funding 55
Supervisory Board and Staff 56
Role in State Government 59
Regional Planning Units 61
Supervisory Boards 63
Funding 65
Local Planning 66
Funding 68
The Federal Connection 68
Regional Offices 69
LEAA Guidelines 70
Safe Streets Planning Processes and Procedures 75
SPA Planning 76
Regional and Local Planning in the Safe Streets Program 80
State and Regional Plan Decision-Making: An Assessment 83
Plan Implementation 85
Evaluation and Monitoring 88
Plan Outcomes 91
Summary 95
Appendix IV-1 Source of Authority for State Planning Agencies 98
Appendix IV-2 State Match of Part B Allocation 99
Appendix IV-3 Composition of State Supervisory Boards by Governmental Level and Sector 100
Appendix IV-3.1 Composition of State Supervisory Boards by Primary Functional Interest 102
Appendix IV-3.2 Local Membership Composition on State Supervisory Boards 104
Appendix IV-4 State Planning Agency Staff 105
Appendix IV-5 Number of Criminal Justice Planning Regions 106
Appendix IV-6 Regional Planning Unit Staff 108
Appendix IV-7 Part B Funds Passed Through to Units of Local Government 110
Appendix IV-8 LEAA State Planning Agency Grant Guideline Transmittals 112
Appendix IV-9 State Plan Implementation 120
Chapter V **Safe Streets Funding** 123
Distribution of Part C Block Grant Funds 123
Distribution by Level of Government 124
Funding Policies and Priorities 126

  Funding of Urban Areas 129
Criminal Justice Functional Components Receiving Block Grant Funds 133
  General Revenue Sharing Funds 136
  Supplantation 137
Distribution of Part C Discretionary Funds 138
Distribution of Part E Funds 142
Administration of Safe Streets Funds 142
  Administrative Cost of the Safe Streets Program 146
  Matching Provisions 146
  Fund Flow 148
  Continuation Funding 148
  Assumption of Cost 150
Summary 151
Appendix V-1 Source and Limitation of Data From the LEAA Grants Management Information System (GMIS) 153
Appendix Table V-1 Part C Allocations to States 154
Appendix Table V-1A Status of Part C Subgrant Funds for States in GMIS 155
Appendix Table V-1B Status of Part C Subgrant Funds in GMIS, FY 1972-1975 156
Appendix Table V-1C Status of Part C Subgrant Funds in GMIS, FY 1972 157
Appendix Table V-1D Status of Part C Subgrant Funds in GMIS, FY 1973 158
Appendix Table V-1E Status of Part C Subgrant Funds in GMIS, FY 1974 159
Appendix Table V-1F Status of Part C Subgrant Funds in GMIS, FY 1975 160
Appendix Table V-1G Status of Part E Subgrant Funds for States in Alphabetical Sequence 161
Appendix Table V-1H Status of Part E Subgrant Funds in GMIS, FY 1972-1975 162
Appendix Table V-1I Status of Part E Subgrant Funds in GMIS, FY 1972 163
Appendix Table V-1J Status of Part E Subgrant Funds in GMIS, FY 1973 164
Appendix Table V-1K Status of Part E Subgrant Funds in GMIS, FY 1974 165
Appendix Table V-1L Status of Part E Subgrant Funds in GMIS, FY 1975 166
Appendix V-2A Distribution of Part C Funds to Cities of 100,000-250,000 Population 167
Appendix V-2B Distribution of Part C Funds to Cities of Over 250,000 Population 168

Appendix V-3 Distribution of Part C Safe Streets Funds (SSA) by State and by Criminal Justice Component (FY 1969-1975) and State and Local (S/L) Criminal Justice Expenditures (FY 1973) 169
Appendix V-4 Percentage Distribution of Discretionary Funds (FY 1969-1975), and Crime (1973) by State.
Appendix V-5 Distribution of Part C Discretionary and 170
Block Grant Funds to Local Governments by Crime Rate and Population of Recipient Jurisdiction 171
Appendix V-6 Distribution of Part E Discretionary Funds by State 172
Part II **ISSUES AND RECOMMENDATIONS** 173
Chapter VI **Safe Streets and the Block Grant Experiment: Issues and Perspectives** 175
What Are We Trying to Do? 176
How Much Money Makes a Difference? 177
Discretion: Playing the Old Shell Game? 179
The Search for a System 180
The Myth of the Generalist 182
The Planning Ritual 184
Lessons From the Safe Streets Experience 185
Chapter VII **Future Directions** 187
Major Findings and Conclusions 188
Recommendations 193
Recommendation 1: Decategorization 193
Recommendation 2: Personnel Compensation Limits 197
Recommendation 3: LEAA Oversight 198
Recommendation 4: State Planning 199
Recommendation 5: The Governor's Role 200
Recommendation 6: The Legislature's Role 201
Recommendation 7: The Courts 202
Recommendation 8: Generalist Participation 202
Part III **CASE STUDIES** 205
Chapter VIII **State Administration of the Safe Streets Act: A Comparative Analysis** 207
Site Selection and Methodology 207
State and Local Criminal Justice Planning 209
Nature and Scope of Planning Activities 210
Decentralization v. Centralization of Planning Responsibility 212
Comprehensive Planning or Comprehensive Funding? 215
Representation and Influence in the Planning Process 216
Relationships Between the States and LEAA 217
State and Local Safe Streets Funding 219
Relationship Between Planning and Funding 219

Funding Policies and Priorities 220
Continuation Funding and Assumption of Costs 220
Nature of the Funding Process 221
Representation and Influence 222
Kinds of Activities and Jurisdictions Funded 223
Categorization of Block Grant Funds 226
Other Findings and Issues 226
Role of Elected Officials 226
Planning and Funding 228
Impact of Safe Streets Funding 229
Views on Program Continuation 230
Appendix VIII-1 Characteristics of the Ten Case Study States 231
Appendix VIII-2 Site Visits to Regions and Localities 234
Appendix VIII-3 Analysis of Safe Streets Grants Methodological Notes 236
Chapter IX **Case Studies of Safe Streets Experience** 241
An Introductory Note 241
California 245
The Criminal Justice System 246
The Safe Streets Program in California from 1967 to 1975 248
A "New Spirit" in California's Safe Streets Program: January to September 1975 262
Epilogue 271
Issues and Conclusions 275
Appendix 1 California Site Visits 278
Appendix 2 Responses to Local Questionnaires 280
Appendix 3 1976 California State Plan 281
Appendix 4 Special Conditions Attached to California Plan by LEAA Regional Office IX 283
Kentucky 285
The Criminal Justice System 285
The State Planning Agency 288
Regional Planning Units 291
Safe Streets Planning 293
Safe Streets Funding 297
Summary of Major Issues 306
Appendix 1 Kentucky Site Visits 309
Appendix 2 Distribution of Direct Criminal Justice Expenditures in Kentucky, FY 1972-1973 310
Appendix 3 Distribution of Planning Funds in Kentucky by Region, FY 1969-1975 311
Appendix 4 Distribution of Action Funds in Kentucky by Region, FY 1969-1975 312

11

Massachusetts 313
The Criminal Justice System 313
The State Planning Agency 314
Criminal Justice Development Agencies 318
Safe Streets Planning 320
Safe Streets Funding 327
Impact of the Safe Streets Act 334
Summary of Major Issues 335
Appendix 1 Massachusetts Site Visits 338
Appendix 2 Responses to Local Questionnaires 340
Appendix 3 Massachusetts Criminal Justice Development Agency Staffing, April 1974 341
Appendix 4 ·Massachusetts Summary of Allocation from All Funding Categories to 1975 Programs 342
Appendix 5 Massachusetts Changes in Committee Plan Allocations to Criminal Justice Programs, FY 1973-1975 343
Appendix 6 Massachusetts Allocation of Part B Funds to Criminal Justice Development Agencies, FY 1973-1974 344
Minnesota 345
The Criminal Justice System 345
The State Planning Agency 345
Regional Planning Units 348
Safe Streets Planning 351
Safe Streets Funding 355
Impact of the Safe Streets Act 364
Summary of Major Issues 365
Appendix 1 Minnesota Site Visits 369
Appendix 2 Responses to Local Questionnaires 370
Appendix 3 Governor's Commission on Crime Prevention and Control 371
Missouri 373
Organization of State Government 373
The Criminal Justice System 373
The State Planning Agency 376
Regional Planning Units 377
Safe Streets Planning 380
Safe Streets Funding 392
Summary of Major Issues 397
Appendix 1 Missouri Site Visits 400
Appendix 2 Responses to Local Questionnaires 402
Appendix 3 Views of Missouri County and City Officials Concerning the Degree of Success Safe Streets Funds Have Had in Reducing Crime or Slowing the Growth of the Crime Rate in Their Jurisdiction 403
Appendix 3.1 Views of Missouri County and City Officials

About the Kind of Reduction in Crime that Should Reasonably be Expected as a Result of the Safe Streets Program, Considering the Nature of Crime and the Amount of Safe Streets Funds Involved 403
Appendix 3.2 Views of Missouri County and City Officials About the Extent the Crime Rate in Their Jurisdiction Would Have Been Greater Today If Safe Streets Act Funds Had Not Been Available Over the Past Six Years 403
New Mexico 405
The Criminal Justice System 405
The State Planning Agency 406
Regional Planning Units 409
Safe Streets Planning 411
Safe Streets Funding 416
Impact of the Safe Streets Act 423
Summary of Major Issues 423
Appendix 1 New Mexico Site Visits 425
Appendix 2 Responses to Local Questionnaires 427
North Carolina 429
The Criminal Justice System 429
The State Planning Agency 429
Regional Planning Units 432
Safe Streets Planning 435
Safe Streets Funding 440
Impact of Safe Streets Act 447
Summary of Major Issues 447
Appendix 1 North Carolina Site Visits 450
Appendix 2 Responses to Local Questionnaires 451
North Dakota 453
The Criminal Justice System 453
The State Planning Agency 454
Regional Planning Units 455
Safe Streets Planning 457
Safe Streets Funding 460
Impact of the Safe Streets Act 467
Summary of Major Issues 468
Appendix 1 North Dakota Site Visits 470
Appendix 2 Percentage Representation of Case Study RPU Boards by Functional Area and Type of Jurisdiction 472
Appendix 3 Regional Descriptions 473
Ohio 475
The Criminal Justice System 475
The State Planning Agency 476
Regional Planning Units 478
Safe Streets Planning 479

Safe Streets Funding 482
Impact of the Safe Streets Act 490
Summary of Major Issues 491
Appendix 1 Ohio Site Visits 493
Appendix 2 Responses to Local Questionnaires 495
Pennsylvania 497
The Criminal Justice System 497
The State Planning Agency 498
Regional Planning Units 501
Safe Streets Planning 503
Safe Streets Funding 507
Impact of the Safe Streets Act 517
Summary of Major Issues 517
Appendix 1 Pennsylvania Site Visits 519
Appendix 2 Responses to Local Questionnaires 521
PART IV **ACIR 1975 SAFE STREETS SURVEY** 523
Appendix A **State Planning Agency Questionnaire** 525
Appendix B **Regional Planning Unit Questionnaire** 579
Appendix C **Municipal and County Elected Officials Questionnaire** 592
Appendix D **Response Rate Tables** 603

Part III

Case Studies

Chapter VIII

State Administration of the Safe Streets Act: A Comparative Analysis

As part of the Advisory Commission on Intergovernmental Relations' (ACIR) examination of the seven-year record in administering Safe Streets block grants, field research was conducted in 10 states. This effort was considered necessary to illustrate in somewhat greater depth the varying approaches used in planning for the distribution of Safe Streets funds; to cross-check the findings from the national surveys of state, regional and local experience under the program; and to gain firsthand impressions about the major issues surrounding the operation of the block grant.

The following comparative analysis attempts to give an overview of the results of the field research. The findings presented and conclusions drawn here should not necessarily be viewed as applicable to all states. Rather, they should be reviewed in conjunction with the information contained in other chapters of this report.

SITE SELECTION AND METHODOLOGY

A variety of factors were considered in selecting the case study states. Chief among these were: population size, crime rate, geographic location, the division of state-local direct criminal justice expenditures and the degree of centralization or decentralization of the states' administration of the Safe Streets program. A cross-section of states was sought reflecting the above primary factors.

Other considerations in site selection were: whether or not the state planning agency (SPA) had assumed additional criminal justice responsibilities; whether the SPA was established by statute or by executive order; whether there had been stability or high turnover among SPA executive directors; and whether there were any unique political, structural or economic characteristics of the state that made it a particularly appropriate or inappropriate subject for a case study. In addition, the advice of both LEAA and the National Conference of State Criminal Justice Planning Administrators was sought to determine if there were any other factors that should be taken into account.

The 10 states chosen (California, Kentucky, Massachusetts, Minnesota, Missouri, New Mexico, North Carolina, North Dakota, Ohio and Pennsylvania) constituted a fairly representative group. California and Massachusetts were progressive
208 urban states, both undergoing a change of governors and SPA directors. Minnesota, on the other hand, had enjoyed stable SPA leadership. Pennsylvania and Missouri had highly decentralized SPA operations with strong and vocal regions, while Ohio represented the best example of the "mini-block grant" concept. North Carolina was included as a southern state with a state-dominated criminal justice system and an SPA chaired by the governor. New Mexico and North Dakota were thought to be good examples of small rural states, with the legislature in the latter substantially involved in the program. In Kentucky, the SPA had been placed in an umbrella Department of Justice and performed criminal justice functions in addition to the distribution of Safe Streets funds.

This sample represents one-fifth of the states and approximately one-third of both the United States population and the total number of index crimes. The 10 states collectively receive 29 percent of the Part B block grant funds and 32 percent of the Part C block grant funds. (See Appendix VIII-1, p. 231.)

Depending upon the size and complexity of the state, teams of two to four people visited each state for a period of one to two weeks. Interviews were scheduled with the following officials or their aides:

State Level

Governor;
Attorney General;
SPA supervisory board chairman;
SPA executive director;
Principal SPA staff members;
Representatives from:
  state legislature;
  state budget office;
  major state criminal justice agencies;
  public interest groups;

Regional Level

RPU supervisory board chairman;
RPU executive director;
Principal RPU staff members;

Local Level

Chief executive official (mayors, city managers);
Legislative officials (county commissioners, city council members);
Representatives from:
  Local criminal justice planning units;
  Major local criminal justice agencies.

During the site visits, information also was gathered from SPA and RPU grant files, minutes of meetings, policy manuals, annual comprehensive plans, financial records, audit reports and other available sources.

In each state two regions, two cities and two counties were chosen for more intensive study. These were selected with some care to obtain urban and rural representation, to cover different types of governmental units and to assess varying experiences with the Safe Streets program, ranging from strongly positive to unsatisfactory. In selecting regions and localities to visit within the states, ACIR relied heavily on the advice of the SPA and other officials knowledgeable about substate conditions. A listing of all regions and localities visited is presented in Appendix VIII-2, p. 234.

A total of 483 state and local officials were interviewed, including:

- 208 state officials, as follows: 11 present or former SPA executive directors, five SPA supervisory board chairmen, four governors or their staff representatives, 10 attorneys general or their staff representatives, 79 members of the SPA staff, 13 representatives from state budget offices, 22 representatives of state legislatures, and 64 representatives of state criminal justice agencies.

- Local officials (72 elected and 116 appointed) as follows: 93 city representatives, and 95 county representatives.

- 9 public interest group and miscellaneous representatives.

- 10 LEAA regional office representatives.

- 77 regional planning unit or criminal justice coordinating council representatives, as follows: 12 RPU board chairmen, and 65 RPU staff members.

The field teams visited a total of 27 regional planning units, four criminal justice coordinating councils, 32 cities and 28 counties from May through August, 1975.

The interviews were structured around a series of central research questions concerning issues that have arisen with respect to the Safe Streets program and the block grant instrument.[1] Departures from the general questions were made, however, depending upon the interviewee's knowledge and role in the program, as well as upon time limitations. During the interviews, the field team also focused specifically on issues relating to the particular factors for which the state was chosen, such as frequent changes in leadership or decentralized planning- structure. Because of the small number of jurisdictions visited in each state and the varying knowledge of the interviewees about the program, a quantitative analysis of the interview responses was thought to be meaningless and was not attempted.

Neither the case studies nor the comparative analysis should be viewed as a rigorous assessment based on a highly sophisticated evaluative design. Time and staff constraints barred such an approach.

Although each SPA director and other key interviewees were invited to review the draft case study for their state, as well as the comparative analysis, and comment on its accuracy and completeness, caution should still be exercised in making generalizations, particularly from the analysis of the sample of grants examined in each state (see Appendix VIII-3, p. 236 and the opinions of the interviewees. Yet, if used in conjunction with other data presented in this report, the case studies and comparative analysis can be helpful in understanding the operation of the block grant under varying conditions and the major issues affecting the Safe Streets program at the state and local levels.

STATE AND LOCAL CRIMINAL JUSTICE PLANNING

In the original Omnibus Crime Control and Safe Streets Act of 1968, Congress placed a strong emphasis upon planning by the states. Each state was required to develop a comprehensive plan, which had to be approved by LEAA before a state could receive block grant funds.

The statutory definition of an "approved comprehensive state plan" was quite specific about the areas to be addressed in the plan but vague about the standards of completeness and specificity that must be met in order for a plan to be judged comprehensive. While statements that a plan shall "adequately take into account the needs and requests of units of general local government . . ." or "provide for the effective utilization of existing facilities" expressed the intent of Congress, they left much to the interpretation of the administering agency, LEAA.

The field studies confirmed findings from the national questionnaire surveys that very little criminal justice planning was taking place in the states prior to the implementation of the Safe Streets Act. Such planning as had been done was neither comprehensive nor systematic. In seven of the 10 states studied, organizations had been established to undertake various criminal justice planning, research and data-gathering responsibilities. Several governors had established a planning committee in anticipation of passage of the Safe Streets Act, and two states (North Dakota, Pennsylvania) had established a group to set statewide standards for police recruitment and training. Most of the initiative for these early efforts appears to have emanated from the national recognition given the crime problem by the Johnson Administration and the President's Crime Commission, and the financial support of the Office of Law Enforcement Assistance (1965-1968). None of the 10 states had any comprehensive criminal justice planning efforts underway prior to 1965.

At the local level, only the larger cities and counties had established criminal justice planning capacity before 1968; this was usually quite limited and did not include all components of the criminal justice system. No evidence was found of any criminal justice planning at the regional level prior to the passage of the Safe Streets Act, with the exception of a few of the older, more well-established councils of governments (COG).

In 1969, the 10 states were faced with preparing a comprehensive plan in a short period in order to be eligible for block grants and time was quite limited, even where a planning group had previously been established. In almost all cases, there was a strong emphasis on "getting the money out in the field" during the early days of the program. With small staffs hastily assembled, a plan was barely produced and approved before it was necessary to establish grant review and award procedures to distribute the large amounts of block grant funds. There was little time to collect and analyze data to determine real needs and problems. Most interviewees thought that, especially during these early years, comprehensive planning was more a myth than a reality and that the annual plan was little more than a compliance document developed by the state to fulfill a requirement to receive funds and therefore was of little value to their state-local criminal justice systems. 210

Another opinion expressed by interviewees in the 10 states was that insufficient time and/or funds were allotted to planning at the outset of the program relative to the amounts of action grants that had to be distributed. This, coupled with the lack of an adequate planning period prior to the receipt of the first block grants in 1969, put the SPAs in the position of having to use limited planning (Part B) funds to support a small staff, the majority of whom were involved in the grant review and award process. Little time and staff remained for planning and this, of necessity, restricted activity to the use of Safe Streets dollars alone. According to some officials interviewed, it also established the role of the SPA as a funding organization—an identity that has been difficult to change. An additional problem faced in the beginning of the program was the absence of professional criminal justice planners.

Organizationally, the early planning was carried out primarily by the state. Regions and local units of government were not yet well enough organized to engage in criminal justice planning.

Although the initial demands of the allocation process necessitated an emphasis on funding rather than on planning, this situation changed. According to interviewees in the 10 states, several factors led to greater attention to planning as the program matured: (1) as the SPA became more experienced, the processing and awarding of grants became more routinized, thus demanding less staff time; (2) increased planning funds made it possible for SPAs to have a larger planning staff with greater expertise; (3) many of the most immediate and visible needs of the criminal justice system were being met, and with growing competition for funds it became necessary to more systematically identify needs and to plan the distribution of scarce resources; (4) the fairly rapid development of regional and local planning capabilities took some of the burden off the SPAs, enabling them to address broader planning issues rather than the mechanics of grant processing; and (5) the large percentage of projects that were continued from previous years meant that planning efforts could be concentrated on the implementation of a smaller number of new activities each year.

For these and other reasons, officials in every state thought that the planning abilities of the SPAs had increased significantly between 1969 and 1975. Yet, as will be discussed in the following sections, the nature and scope of comprehensive criminal justice planning at the state and local levels remains limited despite this progress.

Nature and Scope of Planning Activities

While the particular kinds of planning activities varied from state to state, some characteristics of the planning process were common to all.

Identification of State Policies and Priorities

All 10 SPAs have established policies and priorities that exclude certain activities from funding and encourage others. Some do not review and refine these priorities on an annual basis as part of the planning process. The SPAs that set annual priorities to guide each year's funding (Ohio, Minnesota, California, Kentucky, Massachusetts, North Dakota) do so at the start of each year's planning cycle to give their RPUs guidance about which activities can and cannot be supported with Safe Streets funds. In most cases, these priorities and policies do not change significantly over time, partly because of the high percentage of projects that continue from one year to the next.

Certain kinds of SPA funding policies were particularly irksome to regional and local officials. Of these, the most frequently mentioned by local officials was the exclusion of jurisdictions or agencies under a certain population size from eligibility to receive funds for certain kinds of projects. These policies were based on assumptions that only larger jurisdictions needed such projects or that funding many small jurisdictions produced wasteful duplication. SPA prohibitions against the award of funds to very small police departments was the most common example of this differentiation. Kentucky and Massachusetts, more than other states, relied on such policies to target their Safe Streets monies, with Massachusetts excluding almost all jurisdictions from funding except its seven large urban areas and its state agencies.

In identifying priorities each year and in choosing particular activities to include in the annual plan, no SPA relied primarily on the analysis of crime rates or other criminal justice data to determine needs and problems. Although several SPAs examined such data in establishing their funding priorities, the chief method of planning used was a review of criminal justice needs as perceived and identified by state and local criminal justice agencies and the SPA staff.

Solicitation of Local Input in the Planning Process

All 10 states have developed some means for obtaining local ideas about Safe Streets funding. Most of them have relied on the RPUs to canvass their localities each year, either through mailouts or public hearings. In states with decentralized planning, the RPUs then assessed local needs and requests and made decisions concerning regional funding, which were submitted to the SPA in the form of regional plans. In the states with centralized planning, the RPUs submitted either a list of all identified projects for funding in priority order or a more general statement of regional needs. In many cases, large urban governments have submitted their own proposed activities either to their RPU or to the SPA. The SPAs usually have notified other state criminal justice agencies of the areas in which funding is available and have requested their proposed activities.

In no state studied did the SPA conduct an analysis of law enforcement and criminal justice needs of the state. The planning roles of most SPAs (with the possible exceptions of Massachusetts, Kentucky and Minnesota) was primarily reactive, responding to others' proposals. These activities were reviewed against SPA policies and priorities; decisions then were made as to which would receive funding.

There are some distinct advantages to the reactive role. It relies heavily on those closest to the problem to identify their own needs. It also insures implementation of the plan, because the activities planned are those for which there had already been a need expressed and, in many cases, applicants identified. Several instances were discovered where the SPA, acting without local input, had identified a need and allocated resources accordingly, only to have the funds lie unused because the need was not perceived by others. Yet, the reactive approach does not insure that the problems identified by others are the most serious ones. Although this very well may be the case, the SPAs have neither the manpower nor information to determine statewide criminal justice needs.

In all 10 states studied, SPA planning activities focused almost exclusively on the distribution of Safe Streets funds. In none of the states did the SPA assume a broader planning role for all state criminal justice activities, even though some SPAs conducted studies of particular functional areas, problems or programs. Even in Kentucky, where a reorganization was implemented to give the SPA a central planning role within a Department of Justice containing the major state criminal justice agencies, the SPA has been unable to assume a coordinative planning and budgeting responsibility.

Many reasons were given for the limited scope of SPA planning: the political strength of the state criminal justice agencies that wish to retain their autonomy; the burdens placed on understaffed SPAs by the administration of the Safe Streets program; the SPAs' lack of expertise; the high turnover of the SPA professional staff; and the limited leverage provided by the small amount of funds available.

Yet many of the states studied have undertaken other responsibilities in addition to the administration of the Safe Streets program. Several SPAs (Ohio, Kentucky, Minnesota, North Carolina, North Dakota) are responsible for establishing statewide standards for criminal justice. Some oversee and operate statewide criminal justice information systems (Massachusetts, New Mexico, North Dakota, Pennsylvania). Although not a major responsibility of any of the 10 SPAs, several have become involved in drafting and proposing criminal justice legislation, either independently or for the governor (Pennsylvania, Massachusetts, North Carolina, North Dakota, Kentucky, Ohio). Almost all SPAs have testified before their legislatures on pending legislation, and most have expressed a desire to become more deeply involved in legislative matters should staff resources permit. In no state studied, however, did the legislators interviewed view the SPA as their prime source of advice and counsel on criminal justice legislation.

Many of the SPAs visited have made studies, surveys and reports on criminal-justice-related matters within their state (Pennsylvania, Kentucky, Massachusetts, North Carolina, North Dakota, Ohio, Minnesota, California). Usually these materials either stem from or are used in the SPA planning process. They are also used by other parties.

Despite these peripheral activities and responsibilities, it is clear that the primary role of the SPAs visited is the distribution of Safe Streets funds.

Decentralization v. Centralization of Planning Responsibility

The most important single difference in planning approaches was in the responsibilities of the 10 212 SPAs relative to those of regions and local units of government. A general trend was apparent indicating decentralization of authority and responsibility from the SPA to the regions and large urban, city and county planning units. This trend has been promoted, and in some cases required, by LEAA as a means of insuring greater local involvement in the Safe Streets program. Yet, it also has resulted from the increasing size and ability of the regional and local staffs. In earlier years, the regions served largely as information conduits between the SPAs and applicants. But, as the numbers of grants rose and the administrative burdens grew, RPUs and criminal justice coordinating councils (CJCCs) assumed greater responsibilities. SPAs have come to rely more heavily on the information supplied by the regions, because they are closer to the applicants and the projects and are usually more familiar with their problems and progress.

Decentralization of planning responsibility is not occurring without resistance. In most of the 10 states, relations between the SPAs and the regions were at the least strained and, in some cases, openly hostile. The regions are seeking more influence in the SPA decision-making process, resenting what they deem their earlier role as stepchildren of the program. Massachusetts, Kentucky, Missouri and California RPU directors or staff members are forming organizations to present their positions more forcefully before the SPA.

After observing the planning process in the 10 case study states, several general features can be identified that distinguish decentralized from centralized approaches. Centralized planning is characterized by:

1) The presence of specific and firmly enforced SPA funding policies that determine the kinds of activities that may or may not be funded at the regional level;
2) The limitation of the amount of planning capacity, authority and responsibility given the RPUs relative to the SPA;
3) The absence of a fixed percentage distribution of block grant funds among RPUs;
4) The lack of well-defined and specific regional plans outlining proposed activities that form the basis for the SPA's annual plan; and
5) The SPA's retention of authority for approving the funding of individual projects.

Although none of the 10 states incorporate all of the above characteristics, several (Massachusetts, Kentucky, Minnesota, North Dakota and North Carolina) display enough of these aspects to warrant their classification as states with a centralized planning approach.

In contrast, four other states (Pennsylvania, California, Ohio and Missouri) tend to use a far more decentralized planning approach, characterized by:

1) The delegation of substantial authority and responsibility for planning and funding decisions to regional planning units;
2) The fixed allocation of block grant funds to RPUs on a percentage basis;
3) The capacity and authority for RPUs to develop regional plans, which form the basis of the annual state plan; and
4) The absence of specific SPA policies that identify or restrict the activities to be funded with Safe Streets funds.

Again, it should be noted that the 10 SPAs display a mix of the two approaches. No SPA uses a totally centralized or a totally decentralized planning process.

Of the characteristics distinguishing centralized from decentralized planning approaches, the most important is the presence or absence of a regional allocation process. In the centralized states, regional planning units act as advisory bodies only, receiving (in most instances) all proposed projects, either in the planning or funding process, and forwarding them to the SPA with their recommendations. The RPUs almost always recommend the approval of all applications, however, because (1) they want to bring as much Federal money into the region as possible and the more applications they have, the better their chances are; and (2) there is some reluctance on the part of RPU board members to vote to turn down the application of another member for fear that their own applications will be disapproved.

This situation results in applications being forwarded to the SPA totaling more than the available funds, giving the SPA staff and supervisory board the opportunity to apply their own priorities in choosing the regional projects that they wish to fund.

In the states with decentralized planning, the SPA, using an allocation formula that is usually based upon population and crime rates, makes an allocation of block grant funds to each region. The region uses this figure as a ceiling when considering activities to include in its plan or applications for funding. In these circumstances, the RPU makes the basic decision whether to approve or disapprove funding of an activity and, even though this decision is phrased as a recommendation, the SPA board almost always concurs.

Sometimes, as in the case of Ohio, a "mini block grant" is made to the RPU after the SPA has given its approval of the overall regional plan. In other states, such as Pennsylvania and California, the SPA holds the RPU allocations at the state level and distributes the funds directly to the grantee as the RPU approves and forwards the applications to the SPA for its review and approval.

Under the decentralized planning structure, the state comprehensive plan represents primarily a compilation of RPU-proposed projects. In the centralized planning structure, the SPA has more flexibility in allocating funds in its plan and choosing activities to be funded.

This is not to say that SPAs with decentralized planning do not establish basic policies and priorities to guide planning and funding. Some most certainly do. Under decentralized planning, however, these broad policies and priorities guide RPU planning, whereas in a centralized system they guide the decisions of the SPA staff and supervisory board. Also, in centralized planning these policies and priorities usually outline the activities that may be supported with Safe Streets funds, whereas in decentralized planning they focus on excluding certain items or activities. In this way SPAs with centralized planning take a more active role in directing their funds to certain areas instead of considering applications for any activity.

In interviews with state and local officials, various criticisms were leveled at the two approaches. The most frequent critics of centralization were regions and local units of government. Their views tended to focus on four general concerns: (1) that the SPA ignores local input in establishing its plan categories, programs and priorities; (2) that the more innovative programs the SPAs are promoting and are willing to fund are often not those that cities and counties need most, resulting in a reluctance on the part of localities to initiate new projects, less commitment to those that are ultimately funded, a higher rate of project failure and a greater reluctance to assume the costs when Safe Streets funding ends; (3) that local priorities are not followed when the SPA chooses activities for funding from among all regional inputs; and (4) that the RPUs cannot do serious planning because they never know the amount of dollars they will receive or which projects will be funded from one year to the next.

The SPAs with centralized planning countered these arguments by pointing out that the state must control planning decisions in order to: (1) insure comprehensive funding of all areas; (2) focus resources on innovative rather than routine criminal justice activities; (3) target resources on particular problems, thus offering a greater opportunity for impact; and (4) use funds as an incentive to local governments to reform outdated criminal justice practices and programs. The state providing the best example of this approach was Massachusetts, where an historically strong, highly centralized SPA planning operation was and is encountering rising local resistance in a period of increased competition for scarce Safe Streets resources and matching funds.

Critics of the decentralized planning approach feared that local political influences would result in the funding of routine projects and generate duplication and overlapping services, thus preventing system coordination and comprehensive planning. They also questioned the competence of local planning staffs and the adequacy of their resources and noted that most localities provided only police protection, with courts and corrections handled largely by the state. Under these conditions, comprehensive planning at the local level is difficult, if not impossible.

On the other hand, proponents of decentralized planning thought that regional units and local governments are far more aware of their real needs than is the SPA. They believed decentralized planning results in more responsible and realistic programming, because it more closely reflects the wishes of those who must ultimately assume the cost of the projects.

Some impressions regarding planning based on observations in the ten states are as follows:

Planning responsibilities seem to be most effectively decentralized to large urban regions or large city or county governments, rather than to small rural regions. Although small rural RPUs were highly praised by local officials for their assistance, particularly in developing applications and processing grants, they had neither the staff resources nor the expertise to carry out a major planning role. Further, neither the Part C grants received by these rural areas nor their crime problems appear to justify a greater planning role. On the other hand, several large, urban RPUs had mounted quite sophisticated planning efforts, and their staff resources were capable of administering a block grant from the state. This was found to be particularly true of large single-county RPUs serving one metropolitan area and having large and experienced planning staffs.

Under both decentralized and centralized planning approaches, there is a great need for the SPA to establish and communicate clearly defined policies and priorities to guide statewide Safe Streets funding. A common complaint among regional and local officials, particularly in states with centralized planning, was that they did not know the policy basis upon which the SPAs made decisions concerning Safe Streets funding. Under a decentralized planning approach, the establishment of statewide policies and priorities is particularly important, because it is the primary way in which the SPA can direct funds to specific areas or needs.

Centralized planning seems most appropriate, and is accepted by local officials, in states where major responsibilities for criminal justice reside with the state, and in smaller, more rural states with limited planning funds. In the latter, the RPUs (with the exception of the large urban RPUs or CJCCs) most often consist of one- or two-person staffs; in many cases, one staff person would serve two regions. In these instances, the RPU staff were usually little more than administrative grantsmen, assisting applicants in writing grants and developing reports and data required by the SPA. Small towns and counties saw their RPU staff person as extremely beneficial in informing them of available SPA funds and in handling grant-related paperwork. Moreover, the rural RPU staffs also assisted small towns and counties in non-Safe Streets matters. Yet, these small RPUs could not be expected to perform a major planning role. An annual block grant allocation from the state to these regions would probably be so small that it would dilute the impact of the funds and produce more administrative burdens than it would be worth.

An additional finding gained from interviews with local officials was that larger cities and counties in multi-county regions preferred to deal with the SPA directly rather than to operate through an RPU (except when the jurisdiction controlled the RPU). Often, the larger cities resented having to go through what they considered to be an arbitrarily established administrative unit in order to receive funding for their activities. The authority of the RPU was particularly resented in states with decentralized planning and in states where the RPUs had substantial authority over funding decisions within their regions. Smaller communities often resented the influence of the larger cities in a region.

In the sample states, most of the RPUs established for criminal justice planning purposes were not part of, or under the jurisdiction of, multipurpose regional planning agencies set up to handle other regional programs in health, transportation, manpower or similar fields. Some shared facilities with such agencies, but only a small percentage were incorporated into multipurpose RPUs. Officials in several states believed that it was inevitable that the freestanding criminal justice RPUs would eventually merge with the multipurpose regional bodies to save money, increase visibility and consolidate authority. Many local officials, however, were wary of any such move, viewing it a threat to their own influence and independence.

At present, the only contact between the freestanding criminal justice RPUs and the multipurpose regional organizations is the required A-95 clearance process, usually performed by the latter. This clearance appears to be a rather routine procedure with little substantive impact. No conclusion could be reached concerning the planning effectiveness of the freestanding vs. multipurpose RPUs included in the field work.

In summary, compared with their relatively minor role in 1969-1970, regional planning units are achieving a growing influence in the Safe Streets program—an influence that can be most productive under the appropriate circumstances outlined above. This development, however, has been accompanied by considerable state-regional and intraregional friction.

Comprehensive Planning or Comprehensive Funding?

The most difficult judgment to make about SPA planning relates to its comprehensiveness. Congress, in the original act and subsequent amendments, has set an ambitious standard of comprehensiveness for each state plan—that none of the SPAs visited fully met. On the one hand, the results of SPA planning, in terms of the distribution of Safe Streets funds, appear to be quite comprehensive, both functionally and geographically. All components of the criminal justice system receive a share of the funds. Moreover, the funds appear to be spread widely among jurisdictions of all types and sizes (except in Massachusetts).

On the other hand, both state and local officials agree that the planning process is far from comprehensive. None of the 10 SPAs conducts an overall comparative analysis of the problems of the total criminal justice system and directs its resources accordingly. Rarely are the criminal justice activities of state and local agencies planned and coordinated with the activities supported by the SPAs. For the most part, SPA planning in the states visited is project-based and lacks a well-defined set of goals against which to measure individual projects. Although project-based planning can be a very effective means of allocating resources to achieve a successful rate of project implementation, without a broader frame of reference within which to judge the merits of individual programs, the risk of supporting lower-priority objectives or activities with conflicting purposes inevitably arises.

Given the constraints under which the SPA is operating, comprehensive planning, as defined by Congress, is difficult to achieve. The first, and by far the most significant, obstacle here is the lack of authority, under the mandates by which the 10 SPAs were established, to require the cooperation from other state agencies needed to carry out comprehensive planning. Further, in establishing the SPAs in 1968, no governor gave the SPA authority to conduct comprehensive planning for all state criminal justice needs. This remains the case in all states, with the exception of Kentucky. Thus, the annual plans developed by the SPAs have far less meaning for the state criminal justice system than the annual state budget document that indicates the allocation of all state criminal justice resources. Although some officials believed that, in theory, the state budgeting process and the SPA planning process should be linked, very few saw this as a realistic possibility.

Another strong limiting factor is the highly fragmented nature of the criminal justice system, which makes coordination and comprehensive planning extremely difficult. The lack of consensus about the most effective solutions to existing law enforcement and criminal justice problems also presents formidable intellectual and political problems. Thus, as several SPA officials noted, even in the most ideal circumstances, planning is a very ambitious enterprise.

A third limiting factor is the lack of staff resources to manage an adequate grant program and to plan comprehensively for the state's criminal justice needs, even if SPAs were authorized to do so. Despite assurances from state and local officials that SPA planning capacity has increased greatly since 1969, it is still apparent that the primary focus of most SPA staff activity is on the award, distribution and management of Safe Streets funds, with development of the plan viewed largely as a requirement to receive Federal aid.

An additional problem faced by the SPA directors is what they believe to be the inordinate and totally inappropriate amount of staff time devoted to matters of form rather than substance in developing an annual comprehensive plan. Most directors find several sections of the comprehensive plan required by LEAA to be only somewhat useful, particularly the Past Progress Report, Related Plans, Programs and Systems, Multiyear Forecast of Results and Accomplishments and the Multiyear Budget and Federal Plan. In fact, one SPA director indicated that the extraordinary effort and time involved in producing an annual plan to comply with LEAA's guidelines precludes any real planning. Another SPA planning director stated that only after the comprehensive plan has been completed and sent to LEAA does the SPA have time to do any meaningful planning, because most activity prior to that time is geared to compliance with a plethora of fiscal and procedural requirements.

Most of the SPA directors lamented this fact, wishing to be able to devote more resources to planning rather than to grants management. Yet, because of limited Part B funds, they do not have staff resources to do both. In order to maintain accountability, their first priority is to review, award and administer their grants effectively. Despite inadequate resources, the primary roadblock to comprehensive planning remains the lack of authority given the SPA by the governor or legislature to plan for all state criminal justice resources.

Representation and Influence in the Planning Process

During the site visits to the 10 states, the field team paid particular attention to identifying which groups, if any, exercised the most influence in the planning and funding decisions of the SPAs.

216 Board v. Staff

Almost all SPA and RPU supervisory board members interviewed expressed less interest in planning activities than in the awarding of grants. According to these officials, the board members' participation reflected their interest in funding decisions rather than in planning decisions. This was particularly true during the early years of the Safe Streets program before applicants or board members realized the importance of having monies set aside in the appropriate program category during the planning process in order to receive funding at a later date.

Other reasons for the disinterest of board members in planning decisions were the complexity of the planning requirements and guidelines and the limited period of time over which planning activities are carried out. Moreover, when funds are allocated to particular program categories, the applicant is often unknown and the descriptions of programs to be funded are intentionally general to allow a wide variety of activities to be included under each category. For these and other reasons, the planning process in the past has been of less interest to most board members than the funding process.

In several states, this led the supervisory boards to abdicate responsibility for most planning decisions to the SPA staff. According to state and local officials in those states, the influence wielded by the SPA staff has been particularly powerful in Massachusetts, Minnesota and Kentucky, leading to charges from RPUs and localities in those states that the SPA board acts as a rubber stamp for staff recommendations in the planning process. The threat of short time deadlines, inundation with voluminous materials to be read prior to meetings and the infrequent calling of board meetings were all tactics that SPA directors were charged with using to cause board members to rely on staff recommendations. Partially in response to this criticism, two SPA boards (Massachusetts and Kentucky) have recently reasserted their authority and become much more actively involved in the planning process.

Other factors also have prompted this change. As applicants have come to realize the importance of having their projects included in the annual plan and as competition for funds has increased, the boards have become aware of the need for greater involvement in issues and decisions during the planning stages. Several SPA directors believe that board participation in developing funding policies and priorities is a far more appropriate and important role than becoming involved in the minutiae of grant awards, most of which were decided during the planning stage. Also, many board members are beginning to see the need to develop firm funding policies as competition for dollars heightens.

Criminal Justice Representatives

In studying the representation on SPA and RPU boards in the 10 case study states, it was found that although law enforcement officials made up the largest criminal justice constituency, in only a few instances did their representation constitute a majority of the board and, in most cases, interviewees believed that their representation and influence was declining. The power of law enforcement agencies was greater in the early years of the program because: (1) there was a narrower view of law enforcement, one that tended to equate both criminal justice and the Safe Streets Act with law enforcement activities; (2) the law enforcement agencies were better prepared for a Federal grant program and were able to use the funds quickly; and (3) governors and local elected officials looked to law enforcement agencies for a quick response to rising crime rates.

In most states, the courts were deemed to be the component of the criminal justice system that was least represented on SPA boards, had relatively little influence on the program and had received the smallest percentage of funds. Many interviewees thought that this was a function of the judges' preference for autonomy and independence in light of the separation of powers doctrine, their unwillingness to compete for Federal funding and their conservative approach to criminal justice reform. Several of the SPAs visited were concerned about the role of the courts in the program and were making an effort to increase judicial representation on their supervisory boards.

State Agency v. Local Officials

One of the most consistent complaints of regional and local officials in the 10 states was that state agencies not only were disproportionately represented on SPA boards relative to local officials, but also that their plans and applications were often given less rigorous review and more favorable treatment than local ones.

It does appear that state agency representatives frequently account for a larger percentage of SPA board membership than their percentage of funding would warrant. This usually was because governors automatically appointed the heads of the major state criminal justice agencies as ex-officio members of the SPA boards, or they were designated members by statute. Several interviewees believed that state agencies' proposals were not given close scrutiny by other board members for fear of retaliation against their own grants. Because the overwhelming majority of both SPA and RPU board members, in one form or another, were either the direct or indirect recipients of Safe Streets grants, most interviewees accepted this form of political logrolling as a fact of life.

Another possible reason why state agency grants may receive less scrutiny by SPA boards is that the SPA staff deals directly with state agency personnel in reviewing their plans and grants. Thus the SPA boards and staffs may feel more confident in approving state agency applications than those that have been reviewed and recommended for approval by the regions without SPA staff contact with the applicant.

From the sample of states, it appears that local elected officials are not represented on the SPA board to any great extent—certainly their representation does not come close to the 51 percent representation required on RPU boards. Although SPAs are not required to have a minimum number of local representatives on their supervisory boards, the lack of adequate representation was a common complaint among local chief executives and legislators.

Effects of Staff Turnover

It is clear from the case studies that the most influential factor in the operation of the SPA has been the SPA executive director. The director sets the tone of the SPA's activity, largely determines the nature of the planning and funding processes and may exert influence on the SPA's funding policies and priorities, particularly in those states in which the SPA staff plays an influential role relative to the SPA board. Given the SPA director's influence, the frequent turnover in this post was bound to be a serious problem, especially when a new director changed operations and policies.

Moreover, the rapid turnover among key SPA personnel, such as chief planners, grants managers and evaluators was cited as a problem by several SPA officials. This turnover, caused by the newness of the criminal justice planning profession and the scarcity of capable personnel, has disrupted the continuity of SPA planning and administration and made it difficult to formulate and implement meaningful long-range plans.

As a result of the emphasis on planning in the Safe Streets program, each SPA has developed a sizable staff whose primary task is to prepare an annual comprehensive plan for the state. Through the years, each state has also developed a more or less stable planning process which does result in annual plans that are comprehensive in their coverage. Yet, for the reasons mentioned earlier, no state studied has conducted, or could have been expected to conduct, a planning process as comprehensive as that specified in the act.

RELATIONSHIPS BETWEEN THE STATES AND LEAA

Under a block grant, states are given relatively wide discretion and flexibility in identifying needs, formulating programs to deal with them and allocating resources. The role of the Federal agency is to see that the states carry out their responsibilities in administering Federal funds according to general guidelines established by Congress and within the limitations and conditions prescribed by statute. This is accomplished by review and approval of state plans, financial reports and other documents, as well as by monitoring and evaluation of state performance.

Due to the numerous conditions and requirements placed upon the states by Congress in the Safe

Streets Act and its amendments, the role of LEAA is more complex and delicate than might be expected in a pure block grant. LEAA must insure that the intent of the act is carried out by the states by developing and enforcing guidelines and requirements of varying specificity. It is also charged with providing technical assistance and support to the states. And it must carry out this dual role of enforcer and partner with states who are fully aware of, and jealously guard, the prerogatives that they associate with their block grant. The relationship has been far from tranquil.

The primary occasion of contact—and contention—between LEAA and the SPAs is LEAA's review and approval of the state annual comprehensive plans. This process begins with the development of official guidelines for the comprehensive plans and annual planning grant applications for Part B funds. In the 10 states visited, one of the strongest criticisms of LEAA was its inability to develop and distribute these guidelines prior to the start of the states' planning cycles, thus forcing the SPAs to begin planning without guidelines or a knowledge of the amount of their block grant.

LEAA officials cite several reasons for this problem: the lengthy guideline review process, congressional delays in appropriating LEAA funds and the low priority given the development of guidelines by LEAA. These delays have been somewhat reduced of late, in that LEAA has taken much more interest in the guidelines as a means of insuring SPA compliance with the act.

Yet this recent interest has caused other difficulties. One of the most consistent and strident complaints of the SPAs relate to the sharp increase in the number and complexity of requirements and guidelines applied by LEAA since 1973. Several of the SPAs contend that the administrative burdens imposed by these requirements are becoming unbearable and are approaching those associated with categorical programs. Particularly vexing are those that seem to address matters of procedure and form rather than the substance of SPA operations. Examples cited by the SPAs include: the requirement that the annual plan be structured in a prescribed way, the rule for cross-referencing the annual plan with LEAA's program categories, the necessity to document all SPA practices and procedures, and the need to follow and document detailed procurement procedures.

State officials are increasingly upset about requirements that appear to be applied more to protect LEAA from congressional criticism than to promote the effectiveness of the SPAs. The SPAs usually do not fault the LEAA regional offices for the proliferation of guidelines because, in most cases, they merely interpret and enforce guidelines established by the LEAA central office in Washington. Several SPA officials, however, did question whether the guidelines were interpreted uniformly among all LEAA regions.

LEAA officials admit that the guidelines have increased substantially in recent years, and LEAA's enforcement of them has been more rigorous. Yet they contend that they are only enforcing requirements mandated by Congress and that to do less would mean not fulfilling their responsibilities. They also cite the many laws passed by Congress that, although not part of the Safe Streets Act, must be enforced by LEAA. Examples of some of those that increase the administrative burdens on states and localities are:

- The National Environmental Protection Act
- The National Historic Preservation Act
- Uniform Relocation Assistance and Real Property Acquisition Policy Act
- Freedom of Information Act
- Equal Opportunity Act
- Civil Rights Act
- Equal Employment Opportunity Regulations

In addition there are many standard financial guidelines governing procurement practices that must be adhered to by recipient states and localities.

Localities also complained loudly about increasing paperwork and bureaucracy. Although finding the block grant approach to be less cumbersome than Federal categorical grants, several local officials said they would no longer apply for smaller Safe Streets grants because the benefits did not justify the administrative costs involved.

Many SPA officials criticized the role of LEAA in establishing guidelines and enforcing requirements. Yet, there was praise for the technical assistance LEAA provided to the states, especially through contracts with several organizations to make consultant assistance available to the states. The SPAs found this to be a particularly helpful service.

There was scattered criticism throughout the states that LEAA did not provide effective leadership to the SPAs in terms of demonstrating useful programs and projects, conducting research on new ideas and evaluating existing activities. But this criticism was neither loud nor frequent. Most officials did not seem to expect this kind of leadership from LEAA. Moreover, although several states expressed the desire for a "leadership by example" approach from LEAA, they believed that it had neither sufficient manpower nor expertise to provide leadership to the states except through contractual assistance.

LEAA apparently has become increasingly aware of its responsibility to hold the SPAs accountable for implementing the provisions of the Safe Streets Act. It also realizes that it will be held accountable by Congress. Through the guideline development and plan review process, an attempt is being made to bring all SPAs into technical compliance with the provisions of the act. Yet the difficulty of establishing realistic standards of compliance for states with widely varying levels of competence and degrees of accountability under their own laws, and the broad range of interpretation that the act's provisions allow have produced no common agreement as to what constitutes an acceptable level of compliance. This assessment usually falls to each regional office of LEAA. Lacking standards, some regional office administrators are uneasy with this discretion and therefore show extreme caution in allowing state latitude and demand formally documented decisions and actions. Much of the paperwork and reporting requirements of which the SPAs complain seems to stem from this need to document compliance. The lack of any established standards also has underscored the significance of negotiations between the regional office and the SPA as to what is an acceptable compliance level within the provisions of the act.

Special conditions to state plans have been used to hasten state compliance and document LEAA's oversight efforts. Such conditions are a means of allowing a state to receive its block grant allocation, while correcting some deficiencies in its operations or its comprehensive plan within a certain time period. Most officials thought that LEAA is hesitant to withhold approval of an SPA's plan and face the wrath of state and local officials. Thus, the use of special conditions maintains some pressure on a state to correct deficiencies without raising the political problems caused by withholding funds. Several SPA officials resent the use of special conditions and see them as LEAA's means of protecting itself against criticism for not adequately enforcing guidelines and other requirements. These officials claim that many of the special conditions require little more than a written SPA certification of compliance, and actual performance has not been rigorously monitored by LEAA. However, most SPA officials believe this is changing as LEAA places more emphasis on accountability.

An additional problem, mentioned earlier, is the high turnover of LEAA regional administrators and staff. Several states found this to be particularly troublesome because administrators tend to have different policies, procedures and guideline interpretations that must be learned anew by state officials. A similar problem exists when the LEAA regional administrator must adjust to new SPA directors. Still another arises from the particularly high turnover among the state representatives in each regional office. These people after all, are supposed to serve as a liaison between the state and the LEAA regional office and to be effective, should know the state well. Some believe that the state representative should be an advocate for the SPA within the LEAA regional office.

Overall conclusions about the relationship between LEAA regional offices and their states are difficult to reach, because these vary from state to state, region to region, and time to time. Some of the states visited had few conflicts with their LEAA regional office, while others seemed to have strong and continuing disagreements. At present, LEAA and most of the 10 SPAs visited appear to have formed, of necessity, an uneasy alliance based upon a recognition of their mutual dependence.

STATE AND LOCAL SAFE STREETS FUNDING

Throughout the life of the Safe Streets program, there have been many complaints about the kinds of activities supported with Safe Streets funds and the types of jurisdictions receiving those funds. Although a more thorough analysis is presented in Chapter V, sufficient information was gathered from the 10 case studies to provide some impressions about the nature of Safe Streets funding.

Relationship Between Planning and Funding

The chief goal of the planning process in most SPAs and RPUs is to determine the jurisdictions, agencies and activities that will receive funds. Yet, in most states there are almost always some differences between the activities that are planned and those that are implemented. The extent of these differences is one measure of the meaningfulness of the planning process and the degree of plan implementation.

Particularly in the early years of the Safe Streets program (1969-1971), activities for which funds were allocated were sometimes not implemented, thus requiring states to develop amendments to their comprehensive plans to shift the unused funds to another program category. There were many reasons for this. Grant funds initially were plentiful relative to the number of applicants, because not all potential applicants were aware of the availability of funds and geared up to apply for them. Also, SPAs often set aside funds for activities that they wished to encourage, but that applicants did not consider to be among their high-priority needs. Such funds then
220 were not always used. Moreover, the failure of applicants to obtain matching monies, start-up delays associated with staffing or other problems and overestimation of project costs also caused funds to move slowly out into the field and, in some cases, to remain unspent. Finally, the rapid growth in block grant allocations also put a great burden on the SPAs to distribute large amounts of additional funds in each of the early years.

All of the above factors led to Safe Streets funds having to be reallocated among categories or having to revert back to the Federal government in the early years. But this did not remain a problem for long. Increased competition for dollars, the leveling off of the total block grants, continuation funding commitments and the increased planning sophistication of both the SPA and their applicants led to greater consonance between the activities planned and those implemented. At present, the problem of unused funds does not appear to be significant among any of the SPAs visited. All still amend their plans to shift unused funds, but this process has been streamlined and the SPAs usually know which categories will suffer from lack of applicants. Today, this happens most frequently when the SPA sets aside funds for either innovative or controversial programs for which applicants are reluctant to apply. Conversely, states which identify specific projects to be funded during the planning process are less apt to have unused funds remaining. At present, the competition for funds is so high, and the SPA awareness of funds so acute, that the use of all Safe Streets funds is no longer the problem it formerly was.

Funding Policies and Priorities

As was mentioned in the planning section, each SPA has developed policies and priorities relating to activities it will support with Safe Streets funds. Some of these policies represent longstanding decisions of the SPA Board. The most common (in Kentucky, Massachusetts, Minnesota, Missouri, Pennsylvania, North Dakota, Ohio) are those restricting or eliminating funding for routine police equipment (handguns, uniforms, etc.), construction of facilities or training. Usually such policies were necessitated by repeated requests from applicants for these items, which, if filled, would have rapidly used up all available Safe Streets funds.

A second kind of funding policy relates to the size or type of jurisdiction or agency eligible to receive Safe Streets assistance. Examples here are the exclusion from funding of part-time police departments (Kentucky, Pennsylvania), limitations on funding for juvenile investigation units to jurisdictions over 25,000 (Kentucky) and requirements for the joint cooperation or consolidation of agencies or jurisdictions in order to receive funding for police communications or information systems (Massachusetts, Kentucky, Pennsylvania). This last kind of policy is an attempt by some SPAs to further certain statewide objectives, using Safe Streets funds as an incentive to promote certain goals. Kentucky and Massachusetts, in particular, use Safe Streets funds as leverage in this manner.

The other major kind of SPA policies or priorities are those established annually in allocating funds to certain categories or activities. Although these may change from year to year, particularly within an area such as corrections or police, the balance of funding among the major categories usually shifts only slightly. In part, this represents an attempt on the part of the SPA to achieve comprehensive funding. Yet it also reflects the increasingly limiting effects that the high rates of continuation funding are having on the SPAs.

Continuation Funding and Assumption of Costs

In almost all of the 10 states visited, the most serious funding problem confronting the SPAs was the high percentage of their block grant allocation earmarked to support projects continuing from previous years. The rates of continuation funding vary from 45 percent in North Dakota to 90 percent in Kentucky, with most of the states using 60 to 80 percent of their funds for continuing projects. This severely limits the SPA's ability to initiate new activities and makes most planning for such activities largely unnecessary.

The causes of this difficulty are clear. When the block grant was growing rapidly during the early years of the program, continuation funding was not a problem. Both old and new activities could be supported. However, when the block grant began leveling off, the numbers of applicants for funds did not, as more and more groups became aware of the program and sought aid. At the same time, the revenues of state and local governments were declining due to the recession, and state and local officials were reluctant to assume the costs of Safe Streets-initiated activities. A major consideration here is that most of the states studied had not until very recently established or firmly enforced policies concerning the maximum number of years a project would be eligible for Safe Streets funding.

Site visits to the states revealed that new policies concerning continuation funding and the increased competition for funds were causing conflict. Most of the states have developed policies calling for declining Safe Streets support over a three- to five-year period, with full state or local government assumption of costs after that time. Among the 10, Federal support must end after five years in Ohio, four years in Massachusetts and North Dakota, and three years in the remaining seven. Most states, however, allow exceptions in emergency cases. Many applicants complained that the time period is too short or the rate of assumption is too fast. Some felt that activities should be funded indefinitely, while others were bitter because they believed they were never told that they would ultimately be asked to assume the costs of activities initiated with Safe Streets funds.

Of the 10, Massachusetts, Kentucky and New Mexico are having the most difficulty with continuation funding. Tight budgetary situations, coupled with a high rate of continuation funding, have given their SPAs little flexibility in initiating new activities. Applicants in Massachusetts and other states predicted that many Safe Streets activities will terminate due to the inability of state und local governments to assume their costs.

This is a basic problem because the assumption of the costs of Safe Streets activities by state and local governments has been viewed as one measure of the long-term impact of the program. If institutionalization does not occur, it implies that the activities initiated with Safe Streets funds are temporary and peripheral, with no lasting effect on criminal justice agencies or programs.

Some activities, it was found, had been continued with state and local support. Indeed, many state and local officials stated that they have assumed the cost of a high percentage of the activities initiated with Safe Streets funds. In North Dakota, the state with the least serious continuation funding problem, a firmly enforced assumption-of-cost policy and prior legislative review and approval of all state agency projects initiated with Safe Streets funds has produced encouraging results in assuming costs. Yet, relative to the large number of projects that will have to be either continued with state or local revenues or terminated in the near future, the number that to date have been continued without Safe Streets support appears small. Only Minnesota and North Dakota can boast of success in continuing a high percentage of their activities after Safe Streets funding has terminated. More ominous in terms of its implications for innovative undertakings is the intention expressed by many state and local officials to use future Safe Streets funds for capital improvements, equipment purchases, training or other one-time purchases that do not require a long-term commitment of their resources after Safe Streets funding terminates.

The recent cutback in national block grant funds has forced SPAs to take a hard look at their continuing projects. Because only in the last year have continuation funding problems become severe, it will be another year or two before it is clear whether the new SPA assumption-of-cost policies (or continuation funding policies) result in greater institutionalization of Safe Streets activities by state and local governments or their termination when LEAA funding ends. Some consider this to be the most important test of the long-term value and impact of Safe Street activities on state and local criminal justice operations although, given present fiscal constraints, it may represent an unfair measure. These constraints already appear to be producing a more responsible attitude on the part of the legislative bodies and criminal justice agencies in deciding whether and what activities to initiate with Safe Streets funds.

Nature of the Funding Process

In only a few of the states visited were there problems with or complaints about the funding process. All states appear to have standardized their subgrant review and award procedures to insure that all applications are acted upon within the 90-day period imposed by Congress in the 1973 Crime Control Act. Only one state (Pennsylvania) had to fund an application because of failure to act on it within this period. Several officials expressed the opinion, however, that the 90-day requirement may have lengthened the review process rather than shortened it, as was originally intended. This is because some SPAs will now reject an application and return it for modifications rather than allow it to continue to be reviewed while necessary changes are made. When modifications have been made, the review process and the 90-day clock begin all over again. Although this was mentioned as a problem by some officials, the majority believed that there were no significant delays in the award process.

In Minnesota, North Dakota and Pennsylvania, the SPA director has been given the authority by the SPA board to approve grants under certain amounts, which range from $1,500 in North Dakota to $25,000 in Pennsylvania. This has been done to accelerate the grant award process and usually involves formal approval by the SPA board at its next meeting. Also, provisions are made for an appeal before the SPA board in those cases where the director disapproves a grant.

The greatest difference among the states was the timing of their awards during the year. Three states (Minnesota, Massachusetts and New Mexico) awarded almost all their grants only once during the year, one other (North Carolina) reviewed grants on a quarterly basis, while the remainder approved grants every month or bi-monthly. Reviewing grants once a year cuts down greatly on the administrative burdens associated with the grant review and approval process, whereas monthly grant review requires a great deal of staff time and effort. On the other hand, awarding grants only once a year limits the opportunity of applicants to apply for funds, requires prior planning and communication with all possible applicants to insure fairness and limits flexibility to meet changing needs.

Another problem mentioned by officials in the 10 states concerned limiting grants to one year. All states studied make grants for only one year, even when it is understood that funds will be available for subsequent years, assuming that the project is progressing satisfactorily. The SPAs believe that this enables them to review progress periodically and require modifications in subsequent applications if needed. Some applicants contend that single-year funding causes more problems than it solves. They say that normal start-up and staffing delays result in the project not being under way until three or four months after receiving funds, and that the time required to process an application for the next year of funding means that in the eighth month of the project the staff must begin developing next year's application or start looking for other means of support. A one-year commitment of funds also makes it difficult to attract qualified personnel.

A related issue raised by many state and local officials concerns the uncertainty about the future of the Safe Streets program and Federal funding in general. They are hesitant to initiate long-term projects with Safe Streets assistance for fear that Congress either will not extend the program or will cut back appropriations substantially, leaving them to assume all the costs prematurely rather than gradually. For this reason they prefer to use Federal funds to support equipment purchases and capital improvements rather than personnel additions, which are explicitly restricted by the Safe Streets Act.

Representation and Influence

Many of the conclusions about the representation and influence of various groups in the planning process also relate to the funding process, because usually funding decisions largely reflect previously made planning decisions. It should be noted, however, that in most cases the SPA board still takes a much more active interest in the award of grants than in planning decisions. Five states (North Carolina, Minnesota, Kentucky, North Dakota, Massachusetts) rely on committees to review applications and make recommendations to the full board. There is some criticism that these committees are dominated by the relevant professional groups and that the award process becomes incestuous with, for instance, police officers constituting the majority of the law enforcement committees and corrections officials dominating the corrections committees. Others contend that this is the best way to make use of available expertise and that it would be unrealistic not to have functional representatives on the committees.

Perhaps the most surprising finding in the field work concerned the question, asked of officials in all states, of whether their agency or jurisdiction has received their fair share of Safe Streets funds relative to others. With the exception of Missouri, where practically everyone complained about not receiving their fair share, most state and local officials believed that they had received a proportionate share of Safe Streets funds. Even those who objected strongly to the amount of their representation on the SPA board or their lack of input in the planning process generally thought that they had received an adequate share of Safe Streets funds. As mentioned earlier, there were some exceptions among court officials, many of whom felt that the judicial function had not received an appropriate share of funds. Several courts officials said, however, that they had not sought Safe Streets funds very aggressively in the past.

In some cases these state and local officials readily admitted that they did not really know what their fair share should be. Others felt that their success in receiving Safe Streets funds was due to their own grantsmanship abilities. With few exceptions, however, almost all officials were satisfied with their share of Safe Streets funding.

Kinds of Activities and Jurisdictions Funded

During the site visits in the 10 states, particular emphasis was placed on determining the way in which funds have been used in each state. Through discussions with state and local officials and examination of a sample of grants funded in each state, information was procured about the types of activities and jurisdictions supported.

There are some clear differences in the kinds of activities supported in each state. For example, Massachusetts, Minnesota, Ohio, and, to a lesser extent, Kentucky attempt to direct their funds to more innovative demonstration and pilot projects than do other states. More rural states, such as Missouri, North Dakota, North Carolina and New Mexico, faced with meeting basic needs, have focused greater funding on upgrading their criminal justice and law enforcement operations through training, additional personnel, and new equipment and facilities. As will be discussed, however, even in these states, Safe Streets dollars have been overwhelmingly used to support activities that were new to the jurisdiction receiving the funds, rather than routine activities that had existed prior to their funding with such assistance.

Recipients of Safe Streets Funds

Both in the sample of grants studied and in discussions with state and local officials, it was discovered that Safe Streets funds have been fairly widely distributed among applicants, with the amounts to cities, counties and states being roughly proportional to their responsibilities for criminal justice and law enforcement. Of particular importance is the fact that almost all states have recognized and supported the pressing needs of the urban areas in distributing funds. Pennsylvania, New Mexico, Massachusetts and Missouri have instituted small impact programs within their states to target resources on urban or high-crime areas.

There were complaints from rural officials in several states (North Carolina, Minnesota, Pennsylvania, Massachusetts, New Mexico) that the urban areas have received too much emphasis in funding. Conversely, in some states (Missouri, Kentucky, Pennsylvania, New Mexico), officials in urban areas complain about the rural dominance of SPA boards and the wide diffusion of funds among numerous small jurisdictions. Both groups of local officials in North Carolina, Kentucky, Missouri, North Dakota and New Mexico criticized what they viewed as the strong influence of state officials on the SPA board.

Nature of Activities Funded

During the interviews, many officials expressed belief that in the early years of the program too much money had been used to purchase hardware. Officials explained this as being the result of (1) strong police representation and influence on SPA supervisory boards; (2) the need to upgrade outdated equipment and provide minimum equipment to impoverished criminal justice agencies; (3) the need to spend funds quickly, with equipment purchases being the simplest and quickest way; and (4) the belief that a reduction in crime would result from better-equipped law enforcement agencies. Most officials thought that the emphasis on equipment had declined in recent years, because many of the basic equipment needs had been met, SPA officials had become less optimistic about the ability of better equipment to reduce crime and the SPAs had developed more sophisticated programming.

The sample of grants indicates that although a large percentage of the total number of grants represent equipment purchases, activities of this type account for a much smaller proportion of the total funds. Most equipment grants are fairly small and are awarded to rural areas. Failure to make this distinction may give the misleading impression that most of the dollars have been used for equipment purchases, because more applicants have received more grants for this purpose than any other.

The vast majority of funds appear to have been used for service activities, such as increases in probation services, rehabilitation efforts, juvenile programs, investigation units, court administration aids, public defender and district attorney services. Relatively small percentages of funds have been spent on the construction of facilities and the addition of routine personnel. Most applicants recognized that the intent of the Safe Streets program was to encourage and support new activities rather than to provide additional funding for routine operations that are the responsibility of state and local governments.

224 The other type of funding examined was training activities. Many SPA officials and applicants considered this to be one of the most effective uses of Safe Streets funds, and all SPAs provided funds for training of one sort or another.

In general, it appears that Safe Streets funds now are used far more often to provide services than all other categories of funding combined. The criticism that Safe Streets funds are predominantly used for hardware funding is no longer true. Indeed, many local officials look forward to beginning new programs, now that they have the minimum equipment to operate their law enforcement agencies. Their enthusiasm is tempered, however, by the growing awareness of the fiscal implications of initiating long-term projects with Federal aid.

Funding of Criminal Justice Components

Interviews in the 10 states tend to confirm the results of the grant sample analysis, and correspond with data presented in Chapter V with respect to the funding of the various criminal justice functional areas. Police and law enforcement activities represent about 40 percent of all Safe Streets funding, remaining stable in most states after declining from the higher levels of earlier years.

Corrections has also remained fairly stable as a result of the Part E requirement that Part C corrections funding must remain at least as high as the preceeding year's level in order to qualify for Part E funds. Some officials expressed resentment that Congress, through Part E funding, was dictating state and local priorities. They thought that many corrections projects, which were of lesser importance than others, were nevertheless supported in order to make use of available Part E funds, while more vitally needed activities were not undertaken for lack of monies. Part E categorization was believed by some to be a violation of the block grant concept. It was particularly resented by some local officials because the state had primary responsibility for corrections and thus received most of the Part E allocation. For the most part, however, Part E funding was not a major issue in most states. It was seen as just another source of funds, and corrections projects and programs were usually planned independently of the source of funding. No differences were discovered in the kinds of corrections activities supported with Part C or Part E.

Funding for the courts was much more of an issue in most states. Despite recent increases in the percentages of funds awarded to the judicial area, most SPA officials agreed that the courts have been underfunded relative to other criminal justice components. They believed, however, that this was primarily the fault of the courts themselves. They contended that the courts have been reluctant to apply for Federal funds and have been more resistant than other components to joint planning with the SPA. Both LEAA and the SPAs in the states visited have encouraged funding for the courts in recent years. Some officials interviewed (with the exception of court officials) thought that a separate category or separate planning responsibilities for the courts would further fragment the criminal justice system, undermine cooperation among the various functional components and render the block grant concept meaningless. The courts contend, however, that the doctrine of the separation of powers is compromised when they are required to seek and compete for Federal support from an agency of the executive branch of the state.

The funding of juvenile delinquency efforts was a major priority in several states, notably New Mexico, Massachusetts and Ohio. The impact of the 1974 juvenile justice amendments to the Safe Streets Act had not been felt by most states. Although some were making plans to administer the program, other SPA officials expressed serious reservations about whether the administrative and substantive requirements placed upon the state by the program outweighed the benefits from the relatively small amount of funds available under the act.

Extent of Innovation Supported with Safe Streets Funds

Examination of a sample of grants in each state in conjunction with SPA and RPU staffs uncovered a surprisingly high percentage of new activities supported by Safe Streets assistance. In almost all states, between 70 percent and 95 percent of the activities sampled had not been attempted in the recipient jurisdiction prior to their initiation with Safe Streets dollars. In most states, less than 10 percent of the sampled funds was used for activities that had already been attempted. Moreover, using another classification, the majority of projects were totally new activities to the jurisdiction, rather than expansions of existing activities, upgrading of existing equipment or services, or routine undertakings. Although comparisons between states using these factors are difficult (that which is innovative in a small rural state may be routine in a large urban community), it is clear that Safe Streets funds have supported activities that are new to the jurisdictions in which they were tried. (The reader is cautioned again, however, to refer to Appendix VIII-3, p. 236, for an explanation of the limitations of this data).

This finding tends to confirm the view of most state and local officials that Safe Streets funds have been used for activities that, because of limited local resources, "would never have been initiated without Safe Streets funds." Although this statement is usually meant as praise for the Safe Streets program for providing much-needed resources, it raises the question of why these activities had not been undertaken with state or local revenues: Were they less important or of lower priority than other activities? If so, does this imply that the Safe Streets funds were spent because they were available? Would they have been spent on other needs (health, education, manpower, etc.) if they were not restricted to law enforcement purposes? Also, if state and local governments would not have initiated these activities themselves, the question remains whether they will assume the costs of these activities once Safe Streets support ends. In many ways, the above oft-repeated statement by state and local officials effectively reveals the value of the Safe Streets program, as well as its possible limitations.

Comparison Between Safe Streets Funding and Revenue Sharing

Of particular interest in discussions with state and local officials were their views of how general revenue sharing (GRS) and other Federal aid have been and should be used in the criminal justice area compared to Safe Streets funds. Without exception, local elected officials recognized that the revenue-sharing approach gave them much more flexibility and discretion in using federal dollars with fewer administrative problems than either the block grant or categorical grant approaches. For this reason the overwhelming majority of local elected officials were in favor of replacing block grants with revenue-sharing funds. Some officials, however, particularly appointed criminal justice officials, cautioned that some form of special revenue sharing should be used to insure that funds are directed to law enforcement and criminal justice activities rather than general local government needs. On the other hand, a small number of local officials thought that to use the revenue-sharing approach would bring to an end most of the innovative activities started under the Safe Streets program. They contended that under revenue sharing most of the resources would be used to subsidize normal operations of the criminal justice system, rather than being directed toward new activities and ideas, thus diluting their impact.

From discussions with local officials, some of these fears seem to be borne out. As found in studies by the Brookings Institution and our survey of SPAs and localities, when GRS funds have been used for criminal justice purposes, most of the activities funded have been routine responsibilities of local government.[2] The most typical activities supported by GRS appear to be the addition of police personnel (several cities added large complements to their police forces), the purchase of equipment (the addition of police cars was mentioned quite often) and construction and renovation of court, police and correctional facilities. The construction of facilities was a particularly attractive use of GRS funds, because it represented a one-time expenditure of funds with no long-term commitment required. It also did not require the 50 percent hard cash match as did the use of Safe Streets funds for such purposes, a requirement that has significantly reduced the amount of Safe Streets funding for construction.

Many local officials see the use of GRS for routine criminal justice operations as appropriate and desirable, and lament the fact that Safe Streets funds cannot be used for these purposes. As one local official stated in explaining the difference between Safe Streets and GRS dollars and his preference for the latter: "With GRS funds you can supplant local expenditures. With Safe Streets funds you can't."

All state and most regional officials prefer the block grant approach rather than GRS, contending that an overview is needed to insure cooperation, coordination and the most effective distribution of funds throughout the state. They also believe that statewide policies are needed to insure that Safe Streets funds are not used to supplant local expenditures and support routine criminal justice and law enforcement operations.

It was reported by SPA and state and local officials that, unlike GRS, direct supplantation rarely occurs with Safe Streets funds. Indirect supplantation, where a state or local jurisdiction will receive funding for activities that they probably would have eventually undertaken with their own resources, occurs more often. Examples of indirect supplantation include: the purchase of routine police communications equipment that communities would probably have purchased at some time with their own resources; starting a new intensive probation program with Safe Streets funds, thus deferring the need to hire additional probation officers to cope with a rising caseload; and starting a law student internship program with Federal funds rather than hiring additional assistant district attorneys. The SPA thought that this form of indirect supplantation was difficult to identify or curb because it called for a judgment of local government's intentions, which could easily be disputed.

Categorization of Block Grant Funds

Of particular concern to many local applicants was the increasing categorization of the block grant through congressional amendments, LEAA requirements and state-established categories of funding. Part of the problem stems from LEAA's requirement that the SPAs establish categories of funding and allocate funds to each category in its annual plan. This allows LEAA to review the annual state plan for comprehensiveness and balancing in funding. The categories also are necessary to enable adequate tracking of grants and accountability for them.

Yet both state and local officials criticize the use of categories and the limit of 15 percent of funds that may be shifted among them as unduly restricting the states' response to emerging needs and priorities. Applicants complain that their requests are sometimes met with the response that "there are no funds left in the category," thus requiring an approved plan amendment from LEAA to shift more than 15 percent of the funds from one category to another.

Much of the problem stems from the extent to which the planning process adequately identifies and allocates funds for specific projects or activities in each category. Where this occurs (usually in states with decentralized, project-based planning), there is normally little discrepancy between the activities planned and those funded, thus avoiding the categorization problem. In those states that, during the planning process, do not identify specific activities to be funded, however, there is more often a discrepancy between the amount of funds allocated for particular activities and the number of applicants for those funds, thus resulting in some "bulging" categories and some "dry" categories. Although this problem was much more acute in the early years of the program when planning was less precise, it still irritates state and local officials who contend that a block grant should allow greater flexibility.

A more serious problem raised by some state and local officials is the increasing compartmentalization of the Safe Streets Act by Congress. They view the 1971 Part E provisions, the Juvenile Justice and Delinquency Prevention Act of 1974, and the recent proposals by the courts to be unwarranted and ill-advised categorizations of the block grant concept which, if continued, will result in the states administering a series of "mini block grants" that would lessen the need for comprehensive planning and greatly limit state and local discretion.

OTHER FINDINGS AND ISSUES

Several other important findings and issues in the case studies related directly to the success of the block grant approach.

Role of Elected Officials

One of the purposes of the block grant approach was to give more authority and responsibility for the administration of Federal grant funds to state and local elected executive officials—governors, mayors and county supervisors or commissioners—rather than to professional staff representing particular functional or agency interests. The intent was to give program control to those representing broader state and local interests.

The Governor

With the exception of North Carolina and New Mexico, where the governor or his aide actively serves as chairman of the SPA supervisory board, and California, where the new governor is rethinking the program completely, the governors played a very limited role in the Safe Streets program. This is surprising, because crime is a major public concern and the act gives the governors wide discretion in establishing the program and appointing those responsible for its administration. In almost all states the governor exercised little influence on the program, other than appointing the members of the SPA supervisory boards and, in some cases, the RPU boards and the SPA director.

While most officials interviewed believed that the SPA did support gubernatorial policies in criminal justice (principally through the funding of state agency projects and initiatives), they could identify few instances where the governor had played a major role in setting new directions for the SPA or had become involved in establishing SPA policy. In most states, the SPA seemed to play a role within state government that was secondary to that of other criminal justice agencies (state police, department of corrections, crime commissions, etc.) and consequently exercised less influence on the governor. In those states where the SPA did influence the governor and vice versa, this was almost always the result of a close relationship between the governor and the SPA director or the supervisory board chairman.

Most officials thought that given the small amounts of the Safe Streets funds and the numerous other Federal grants-in-aid administered by the state, the governor could not afford to spend much time on the program. After all, most other state criminal justice agencies have substantially more resources and operational responsibilities than the SPA. The one circumstance in which several governors have become involved in the Safe Streets program has been when a major conflict has arisen between the SPA and LEAA.

The low profile of governors and their apparent lack of interest in the SPA has serious consequences for the program. It damages the credibility of the SPA relative to other state agencies, thus limiting the SPA's authority in the state criminal justice planning and budgeting process. It also makes comprehensive planning more difficult and less meaningful when completed, because the plans do not affect the activities or resources of other state agencies. Only in Kentucky does the SPA have the authority to plan for other criminal justice agencies, and even there limitations of staff time and competition with other state agencies have prevented this planning from actually taking place. In all other states, state agency officials tend to view the SPA as a small distinct agency, responsible only for the distribution of Safe Streets funds. According to these officials few governors have demonstrated an interest in having the SPA serve as the focal point of statewide comprehensive criminal justice planning and budgeting. Given the limited amount of funds involved and the longstanding autonomy of certain state criminal justice agencies, the chances of this happening are slim.

The Legislature

State legislatures throughout the early years of the Safe Streets program were much less involved than the governors. Their role was usually limited to appropriating the match funds for state agency grants and the SPA's Part B allocation, as well as the state buy-in percentage of local grants. However, changes are occurring.

In several of the states visited, the legislature is now exercising a more active role in the program, partly because of the growing awareness that it will be asked to assume the costs of Safe Streets activities at the state level following termination of LEAA support. In some states, such as Massachusetts, this is causing severe budgetary problems, with the SPA fearing that the legislature will not only refuse to assume the costs of Safe Streets-funded activities, but will also reduce the match for the state's Part B allocation supporting the SPA. In Missouri, the legislature has in the past refused to appropriate full Part B match funds, in part as a means of limiting the state's authority and influence relative to the regional planning units.

Perhaps the tightest legislative control is evidenced in North Dakota, a fiscally conservative state where the legislature reviews all state agency projects individually and often refuses to appropriate matching funds for some. The SPA has a good relationship with the legislature and believed that the prior legislative review of Safe Streets activities initiated by state agencies results in the greater willingness to assume the costs of these projects later.

In Missouri and North Carolina, the legislatures resent and are wary of the governor's control of the program and are trying to exert greater influence, either by statutorily altering the membership of the SPA (North Carolina) or withholding matching funds (Missouri). They also dislike the governor's ability to use Federal funds to initiate activities without prior legislative approval.

Most SPAs have not been highly visible to legislators. Some develop and propose legislation in the criminal justice field and many testify and comment on pending criminal justice legislation. In four states (Massachusetts, Pennsylvania, Kentucky and North Dakota), the SPA has proposed criminal justice legislation with some success. Many others have supported studies leading to the revision of state criminal codes. Yet despite some clear successes in the legislative field, the SPAs sampled did not appear to be a major force in influencing criminal justice legislation.

Clearly, the interest and influence of the state legislatures in the program is growing substantially and rapidly. But it is unclear what the ultimate effects of this new legislative role will be.

Local Elected Officials

228 The role of local elected officials in the Safe Streets program was expanded significantly as the result of the 1973 Crime Control Act, which required that 51 percent of the membership of RPU boards consist of local elected officials. This change received mixed reactions from interviewees in the 10 states. Some thought such officials were more of a hindrance than a help, because they were not familiar with the problems of criminal justice and could not contribute substantively to board deliberations. Others praised their participation for producing more realistic funding with a broader view of priorities than criminal justice specialists. They also believed that the assumption-of-cost problem was eased if local officials were involved in the planning and funding decisions from the beginning. Yet, most interviewees could see no significant immediate effects of local elected officials' participation.

Several practical problems arose in connection with obtaining the input of local elected officials. First, there was the difficulty in deciding who is an appropriate local elected official. State legislators are locally elected but hardly local officials. Sheriffs and judges are elected officials and local but do not represent the broader interest intended in the 1973 act. This definitional difficulty has been a source of continuing conflict at the state, regional and local levels.

Another significant problem faced by rural regions is finding enough local elected officials to make up 51 percent of the RPU board. A third, and in many ways the most important challenge faced by most of the regions, is the lack of attendance of local elected officials. Participation of these officials is needed and/or required on so many regional and local boards that they cannot possibly attend all the meetings. Several interviewees indicated that the lack of authority of some regional boards makes their attendance less important. This attendance problem will increase as more Federal programs call for representation of local elected officials on areawide bodies and as these bodies proliferate. When local elected officials cannot attend, they usually send a representative from one of the criminal justice agencies, thereby defeating a major purpose of their participation. When asked about specific changes in funding that have resulted from the involvement of local elected officials, very few of the interviewees could identify any.

Planning and Funding

Earlier, the problems of continuation funding and the assumption of costs faced by the state and local government were assessed. Recapitulating briefly, it seems that only recently have states been confronted with high rates of continuation funding, due to decreased block grant funds and continually increasing competition for funds. Although several SPAs have claimed and shown some success in getting state and local governments to assume project costs, the real test is being faced now, as recently developed SPA continuation policies begin to be enforced in the face of worsening state and local budgetary circumstances. As long as projects are receiving their fourth and fifth years of Safe Streets funds, however, as many are, a smooth transition from Federal funding to more permanent state and local support has yet to become a reality.

Financing worries are even beginning to trouble some SPAs. Of the 10 SPAs visited, six (California, Kentucky, Massachusetts, Missouri, North Carolina and North Dakota) were established through legislation. The remaining four have no statutory base, having been created by executive orders of their governors. Some SPA directors were concerned that this lack of a statutory base made their standing and permanence very tenuous in the event that Safe Streets funds were withdrawn. When asked directly what would happen to the SPA if the Safe Streets program were terminated, officials of those created by statute thought that the SPA would continue to exist but would be greatly reduced in staff and limited to the non-Safe Streets activities mandated in their legislation. Several of the SPAs created by executive order believed that they would continue to exist only if their executive order outlined additional non-Safe Streets activities, and then only at a greatly reduced staff level and with the likely prospect of a merger with another state agency. This rather pessimistic view results primarily from their almost exclusive emphasis on the distribution of Safe Streets funds. If this role were taken away, few other responsibilities would remain. Thus, from all indications, it appears that the SPA has become a tentatively accepted institution of state government, but almost exclusively in relation to its role in administering Federal aid.

A similar situation exists with respect to RPUs and local planning units. Because they are primarily supported by Part B funds and their chief responsibility is the distribution of Safe Streets funds, most officials questioned whether they would continue to exist if the program ended. In some cases – usually when the RPU was a multipurpose unit – local officials thought that their functions might be continued by local governments.

For the most part, the plan development process for Safe Streets funds at the state and regional levels is both well-established and more or less smoothly operating. Yet, because it is employed almost exclusively to plan the distribution of Safe Streets dollars and because no state has successfully linked SPA planning with state criminal justice agency budgeting, it is unlikely that this process would continue if the program ended.

In summary, although these responses represented speculation on the part of the interviewees, they made it clear that the continued existence of the SPAs and RPUs was doubtful without the Safe Streets program. Interviewees also made it clear that this skepticism in no way reflected the effectiveness with which they carried out their responsibilities, but rather the limitation of those responsibilities to Safe Streets funds only.

Impact of Safe Streets Funding

One of the most discouraging, but predictable findings of the case studies was the lack of evaluation of the results and impact of Safe Streets funding. Only three states (Minnesota, Pennsylvania and Massachusetts) had an identifiable evaluation strategy and program in operation. California had developed and was implementing an evaluation program, which was halted by the new governor pending his review of its value. Of the three states, the Massachusetts evaluation effort was limited to a small number of large projects and was considered by state and local officials to be "too academic" and "theoretical" to be of practical use to the SPA. Its evaluations appeared to be the most ambitious and rigorous of any, however, and were cited by some as being very helpful in gaining state and local support for a few of the major programs undertaken by the SPA. Both Minnesota and Pennsylvania had relatively large evaluation staffs and regularly developed information on selected projects and programs. Minnesota used its evaluation results in planning decisions, while Pennsylvania geared its efforts to influence project refunding decisions. Both states have had some success in utilizing evaluation results for decision-making.

All the other states were just beginning to establish an evaluation capacity (Kentucky, North Dakota, New Mexico, North Carolina, Ohio, Missouri) or had no plans to do so and relied on monitoring information. State officials thought that this was one of their most serious failings and blamed it on (1) inadequate Part B funds to support an evaluation staff, (2) the absence of experienced evaluators or (3) the lack of adequate performance standards against which to measure project achievement.

Greater interest in evaluation at the state level may be expected to result from greater competition for reduced block grant funds. This competition has forced some SPA boards to make difficult choices about which projects to continue, leading to calls for evaluation information upon which to base decisions. LEAA, responding to the congressional mandate for evaluation in the 1973 act, has also begun urging the states to begin assessing the impact of their activities. Several SPAs expressed disappointment about the lack of leadership and resources provided by LEAA in the area of evaluation in the past.

Thus, after seven years, only a few states have attempted to assess the results of their Safe Streets-funded activities. Despite the evaluation mandate in the 1973 act, it is still necessary to rely largely on subjective judgments regarding program impact.

Crime Rates. Because the reported crime rate in every state visited had increased greatly since the Safe Streets program was initiated, it was obvious that the program had not reduced crime. Many officials, however, thought that the reported crime rate would have been somewhat higher if the program had not existed and hence believed that Safe Streets had some effect on crime control. Most officials indicated that the program should never have been expected to reduce crime and that it labored under unrealistic and unattainable expectations. They cited the small amount of Federal funds (six percent of all state and local law enforcement and criminal justice expenditures), the complex causes of crime (few of which can be affected by Safe Streets monies), and the necessarily reactive posture of law enforcement agencies, as reasons why the program could not possibly have more than a minimal effect on crime rates. Several officials indicated that even if all Safe Streets funds were focused on crime prevention and deterrence, the effects would at best be minimal.

Many officials suggested that the program may even have led to an apparent growth in crime rates by increasing the level of crime reporting by the
230 public and by supporting and encouraging improved recordkeeping and crime reporting by police agencies.

The Criminal Justice System. Officials interviewed in all 10 states were much more enthusiastic about the effects of Safe Streets dollars on the operations of law enforcement and criminal justice agencies. They thought that improvements in these operations should be considered the appropriate goal of the Safe Streets program and believed that only through such changes could there be any effect on crime. At the same time, they remained cautious about the extent of this impact.

The amount of praise given the Safe Streets program for upgrading and expanding the training, equipment, facilities, practices, and policies of almost all agencies came as something of a surprise to the field team. Support of law enforcement and criminal justice has traditionally been a lesser priority of state and local governments resulting in relatively limited resources to carry on basic operations and only meager monies for new approaches and programs. For example, interviewees cited the correctional system as being particularly impoverished. With Safe Streets funds, it was asserted, it was possible to try new approaches and programs, upgrade practices to meet minimum standards and provide much-needed training equipment. Rural communities were particularly appreciative of Safe Streets funding as a supplement to their limited resources, although these areas were often the most wary of Federal involvement.

Another benefit of Safe Streets cited in the interviews was the cooperation fostered by the program among police, court and corrections agencies. Most officials said that joint membership on SPA and RPU boards and the interaction on joint projects had produced a better and broader understanding of the problems faced by the various components of the criminal justice system. Nevertheless, it was generally noted that, although this increased communication and understanding was very beneficial, most agencies still jealously guarded their autonomy and were reluctant to either view themselves or to act as part of an integrated system.

VIEWS ON PROGRAM CONTINUATION

Officials in the 10 states were asked if the Safe Streets program should continue and what changes, if any, should be made. Without exception, all thought that the program should be renewed by Congress in some form. The overwhelming majority believed that the funding level should be increased to provide continued system improvements, although several officials welcomed the increased competition for funds, because of the leverage it gave the SPA in promoting change. Most local officials preferred that Congress adopt the revenue-sharing approach, while most state officials were understandably opposed to this. All interviewees called for the simplification of requirements and the elimination of administrative burdens.

For the most part, state and local officials appear to have become accustomed to the Safe Streets program as a useful and well-established component of their criminal justice and law enforcement activities. Despite protestations, most still are willing to tolerate the Federal and state paper work and red tape necessary to enjoy the benefits of funding, although California was considering refusing Safe Streets funds at the time of the field research. The overall impact of the Safe Streets program is considered quite positive, and most state, regional and local officials enthusiastically advocate its extension in some form.

FOOTNOTES

[1] Refer to Chapter I—Introduction of this report for a list of these issues.

[2] Richard P. Nathan, Allen D. Manuel, Susannah E. Calkins, and Associates, ***Monitoring Revenue Sharing*** (Washington, D.C.: The Brookings Institution, 1975).

APPENDIX VIII-1

Characteristics of the Ten Case Study States

State Population

5 in first quartile
3 in second quartile
1 in third quartile
1 in fourth quartile

Crime Rate

2 in first quartile
3 in second quartile
1 in third quartile
4 in fourth quartile

SPA Authority Base

5 created by executive order
3 created by state legislation
2 created by both executive order and state legislation

Decentralization

2 state oriented
3 regional oriented
1 local oriented
4 unclear

Additional Responsibilities

3 additional criminal justice responsibilities
6 no additional criminal justice responsibilities
1 unclear

State Criminal Justice Expenditures

3 in first quartile
0 in second quartile
2 in third quartile
5 in fourth quartile

State—Local Expendihures

2 state-dominated systems
4 state-local balanced systems
4 local-dominated systems

Federal Regions

1 in Region I
0 in Region II
1 in Region III
2 in Region IV
2 in Region V
1 in Region VI
1 in Region VII
1 in Region VIII
1 in Region IX
0 in Region X

Planning Grants (Total)

1974: $14,586,000 (29.2%)
1975: $16,103,000 (29.3%)

Part C Action Grants (Total)

1974: $154,966,000 (32.1%)
1975: $152,938,000 (31.8%)

Massachusetts

Eastern state (Federal Region I)
10th in state population (1st quartile—populous state)
15th in crime rate (2nd quartile)
SPA created by state legislature with no decentralization (state-dominated)
40th in state criminal justice expenditures (4th quartile—low in state criminal justice expenditures.
Local dominated in financing and delivery of services
1974 and 1975 planning grant: $1,277,000 and $1,407,000
1974 and 1975 Part C action grant: $13,257,000 and $13,180,000

Minnesota

Midwest state (Federal Region V)
19th in state population (2nd quartile)
23rd in crime rate (2nd quartile)
SPA created by executive order with no decentralization (state-dominated)
No additional criminal justice responsibilities
44th in state criminal justice expenditures (4th quartile—low in state criminal justice expenditures)
State-local balance system in financing and delivery of services
1974 and 1975 planning grant: $920,000 and $1,008,000
1974 and 1975 Part C action grant: $8,866,000 and $8,816,000

North Dakota

Central West state (Federal Region VIII)

45th in state population (4th quartile—low population state)

48th in crime rate (4th quartile—low crime rate state)

SPA created by executive order with no decentralization (state-dominated)

39th in state criminal justice expenditures (4th quartile—low in state criminal justice expenditures)

No additional criminal justice responsibilities

State-dominated in financing and delivery of services

1974 and 1975 planning grant: $317,000 and $332,000

1974 and 1975 Part C action grant: $1,439,000 and $1,442,000

232 **California**

Western state (Federal Region IX)

1st in state population (1st quartile—populous state)

3rd in crime rate (1st quartile—high crime rate state)

SPA created by state legislation with decentralization (region-dominated)

Additional criminal justice responsibilities

49th in state criminal justice expenditures (4th quartile—low in state criminal justice expenditures)

Local-dominated in financing and delivery of services

1974 and 1975 planning grant: $3,976,000 and $4,452,000

1974 and 1975 Part C action grant: $46,495,000 and $46,414,000

Kentucky

South Central state (Federal Region IV)

23rd in state population (2nd quartile)

46th in crime rate (4th quartile—low crime rate state)

SPA created by both executive order and state legislation with no decentralization (state-dominated)

Additional criminal justice responsibilities

10th in state criminal justice expenditures (1st quartile—high in state criminal justice expenditures)

State-dominated in financing and delivery of services

1974 and 1975 planning grant: $809,000 and $889,000

1974 and 1975 Part C action grant: $7,500,000 and $7,518,000

Pennsylvania

Eastern state (Federal Region III)

3rd in state population (1st quartile—populous state)

44th in crime rate (fourth quartile—low crime rate state)

SPA created by executive order with decentralization

No additional criminal justice responsibilities

33rd in state criminal justice expenditures (3rd quartile)

State-local balance system in financing and delivery of services

1974 and 1975 planning grant: $2,432,000 and $2,680,000

1974 and 1975 Part C action grant: $27,482,000 and $27,072,000

Ohio

Midwest state (Federal Region V)

6th in state population (1st quartile—populous state)

26th in crime rate (3rd quartile)

SPA created by state legislation with decentralization

Additional criminal justice responsibilities

34.5th in state criminal justice expenditures (3rd quartile)

Local-dominated system in financing and delivery of services

1974 and 1975 planning grant: $2,216,000 and $2,434,000

1974 and 1975 Part C action grant: $24,821,000 and $24,382,000

North Carolina

Southern state (Federal Region IV)

12th in state population (1st quartile—bottom)

38th in crime rate (top of 4th quartile)

SPA created by executive order with no decentralization

No additional criminal justice responsibilities

5th in state criminal justice expenditures (1st quartile—high in state criminal justice expenditures)

State-local balance system in financing and delivery of services

1974 and 1975 planning grant: $1,162,000 and $1,288,000

1974 and 1975 Part C action grant: $11,842,000 and $11,872,000

Missouri

South Central state (Federal Region VII)

14th in state population (2nd quartile)

19th in crime rate (2nd quartile)

SPA created by both executive order and state legislation with decentralization

No additional criminal justice responsibilities

48th in state criminal justice expenditures (4th quartile—low in state criminal justice expenditures)

Local-dominated system in financing and delivery of services

1974 and 1975 planning grant: $1,085,000 and $1,189,000

1974 and 1975 Part C action grant: $10,897,000 and $10,795,000

New Mexico

Southwestern state (Federal Region VI)

37th in state population (3rd quartile)

12th in crime rate (bottom of 1st quartile)

SPA created by executive order with no decentralization

No additional criminal justice responsibilities

6th in state criminal justice expenditures (1st quartile—high in state criminal justice expenditures)

State-local balance system in financing and delivery of services

1974 and 1975 planning grant: $392,000 and $424,000

1974 and 1975 Part C action grant: $2,367,000 and $2,447,000

APPENDIX VIII-2

Site Visits to Regions and Localities

California

Regions:
- Alameda Regional Criminal Justice Planning Board
- Sacramento Regional Area Planning Commission
- Ventura Regional Criminal Justice Planning Board
- Orange County Regional Criminal Justice Planning Board
- Los Angeles Regional Criminal Justice Planning Board

Localities:
- 234 City of Oakland
- City of San Leandro
- City of Los Angeles
- Yuba City
- Alameda County
- Yuba County
- Sutter County
- El Dorado County
- Ventura County
- Los Angeles County

Kentucky

Regions:
- Louisville Regional Crime Council
- Jefferson Regional Crime Council
- Barren River Regional Crime Council
- Green River Regional Crime Council
- Lincoln Trails Regional Crime Council

Localities:
- City of Louisville
- Jefferson County
- Warren County
- City of Ownesboro
- City of Radcliff
- City of Vine Grove
- Hardin County
- Breckenridge County

Massachusetts

Localities:
- City of Boston
- City of Worcester
- City of Cambridge
- City of New Bedford

Minnesota

Regions:
- Hennepin County Criminal Justice Council
- St. Paul—Ramsey County Criminal Justice Advisory Committee
- Region C Crime Commission
- Region F Criminal Justice Advisory Council
- Region 9 Regional Development Commission
- Metro Council, St. Paul

Localities:
- City of Minneapolis
- City of St. Paul
- City of Mankato

Missouri

Regions:
- Region V Regional Crime Council
- Region III Mid-Missouri Regional Crime Council
- Region XIII Show-Me Regional Planning Commission

Localities:
- City of St. Louis
- St. Louis County
- Jefferson County
- City of Columbia
- Cole County
- Boone County
- Pettis County

New Mexico

Regions:
- Region II (Santa Fe)
- Region III (Sandoval, Valencia and Torrance Counties)
- Albuquerque Metro Council

Localities:
- Bernalillo County
- Taos County
- City of Santa Fe
- City of Albuquerque

North Carolina

Regions:
- Piedmont Triad Criminal Justice Planning Unit
- Lower Cape Fear Planning Unit
- Triangle Commission on Criminal Justice

Localities:
- City of Charlotte
- City of Kinston
- County of Rockingham

North Dakota

Regions:
- Lake Agassiz Region (#5)
- Red River Region (#3 and #4 consolidated)
- South Central Dakota Region (#6)

Localities:
- City of Fargo
- City of Grafton
- City of Grand Forks
- City of Dickinson
- City of Williston
- City of Jamestown
- Cass County
- Pembina County
- Walsh County
- Mercer County
- Williams County
- Stark County

Ohio

Regions:
- Criminal Justice Coordinating Council of Greater Cleveland

Localities:
- City of Columbus
- City of Springfield
- City of Mansfield
- Franklin County
- Clark County
- Richland County

Pennsylvania

Regions:
- Philadelphia Regional Planning Council
- Allegheny Regional Planning Council
- Northwest Regional Planning Council

Localities:
- Philadelphia (City/County)
- City of Pittsburgh
- Allegheny County
- Erie (City/County)
- Jefferson County

APPENDIX VIII-3

Analysis of Safe Streets Grants
Methodological Notes

Purpose of the Grant Sample Analysis

Because a major activity of states with respect to the Safe Streets programs involves the granting of funds for the improvement of law enforcement and criminal justice, it was essential as part of the field research to examine the kinds of activities and recipients being supported with Safe Streets funds.

To accomplish this with limited resources, a sample of the grants awarded by each of the 10 states visited was selected. Each of the grants chosen was then classified into general categories representing various kinds of activities. The methodology used in identifying subgrants to be included in the sample and classifying these subgrants is outlined below. Because the methodology has several weaknesses and constraints, those using information developed from the grant samples should be fully aware of these limitations.

Award Period Studied

The period from which the grants were chosen was the 1974 calendar year. All subgrants that were awarded Part C funds from Jan. 1, 1974 to Dec. 31, 1974 comprised the universe of grants from which the samples were chosen. This period was chosen because it was recent enough for SPA personnel to have knowledge of the grants and to adequately represent recently funded activities, yet it was still possible to gain some indication of whether the costs of the activities would be assumed by state or local governments.*

It was decided not to select the sample from subgrants awarded from funds of one particular fiscal year since the activities supported with one fiscal year's funds could be awarded within a two-year period and carried out over an even longer period. Therefore, although the sample includes only subgrants awarded during 1974, it contains funds from the FY 1972, FY 1973, FY 1974 and FY 1975 block grant allocations.

Selection of the Grant Sample

The sources used in selecting the grants to be included in the samples were the files of the SPAs or lists of subgrants awarded during 1974. The award date, representing the date of the meeting at which the subgrant was approved by the SPA supervisory board, was the factor used to determine the universe of funds awarded in 1974.

The samples were chosen randomly by selecting every subgrant awarded in the order in which they were awarded.

Size of the Grant Sample

Because of the great variation among the states in the numbers of subgrants awarded during 1974 and the limited staff time, it was impossible to select a certain percentage of subgrants from every state and still insure that the sample would be valid in the smaller states and manageable in the larger states. Therefore, it was decided that as many subgrants as possible, given time constraints, would be sampled in each state. Thus, the percentages of subgrants sampled ranged from 100 percent in North Dakota to 20 percent in California. This assured as broad a sample as possible in each state.

Categorization of Subgrants Sampled

After selecting the grant sample in each state, the SPA files were used to gather three items of factual information—the type of governmental unit receiving the funds (state, city, county, etc.), the amount of Federal funds awarded and a short title of the project.

At this point it was necessary to obtain the assistance of SPA and RPU staff members to further classify the grants. This was done in two ways. In those states where the SPA staff were knowledgeable about all grants awarded by the SPA, the field researcher consulted directly with the relevant staff member concerning the appropriate classification of each subgrant. In Pennsylvania, however, letters were sent to the RPUs asking them to classify the projects with which they were familiar according to instructions outlined in the letter. This mail-out method, while necessary because of staff and time constraints, was less than ideal, because the field researcher was not available to explain the meaning of different categories. In those instances where a misunderstanding of the categories was obvious, a check was made to correct the classifications. The possibility still remains, however, that there were other misinterpretations.

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*Later, in analyzing the grant sample, we found that the 1974 calendar year was too recent a funding period to give much of an indication of whether the costs of Safe Streets activities would be assumed by state and local governments, since most activities funded during this period were still being supported by Safe Streets funds. However, manpower constraints prevented the commission from examining an additional sample of grants from an earlier period.

The five sets of categories used to classify the grants are described below. Each provided additional information about the kinds of activities supported with Safe Streets funds. Each presented some difficulties in classifying complex or multipurpose grants.

Primary Activity of the Grant

The objective of this set of categories was to determine the primary purpose of the activities funded with Safe Streets funds. Five categories were established:

1. Purchase of Equipment. This includes large subgrants for communications systems, automated records systems and computerized information systems, as well as small subgrants for sirens, portable radios, tape recorders, etc. Many subgrants included funds for equipment, but only if the primary purpose of the subgrant was the purchase of equipment was it included in this category.
2. Construction. Any activity whose primary purpose was the construction or renovation of facilities.
3. Provision of Services. Any activity that provided a new service or resulted in a significant qualitative increase in existing services was classified in this category.
4. Provision of Training. All subgrants that directly provided education or training activities were included in this category.
5. Addition of Personnel. All subgrants whose primary purpose was the routine addition of personnel that did not result in a significant qualitative increase in services.

In attempting to classify projects in these categories, several minor problems arose. The most significant was the distinction between "services" and "personnel" when classifying grants that consisted primarily of personnel who also provided services. In classifying these grants the following general rule was applied: if the addition of personnel resulted in a significant qualitative increase in the services provided, the grant was classified as a "services" grant. If the grant did not significantly increase the quality of services provided but was more of a routine addition of personnel, it was classified as a "personnel" grant. Although this classification was based upon the subjective judgment of the staff person and the field researcher, as were all of these classifications, ACIR is confident that the judgments were made with a good measure of consistency.

237

Another source of confusion in using these categories resulted from grants to provide training for support personnel. If the grant was to cover training costs or directly provide training, it was classified as a "training" grant. If the grant supported a person to furnish training, it was classified as a "service" grant because the grant was providing services in the form of training.

It should be noted that these categories did not reflect the amount of funds allocated to equipment, personnel, etc., in the grant budget. Often, grants that were clearly of a "service" type would include substantial funds for equipment and personnel. It was the primary purpose and activity funded that were important in classifying the grant, not the amount spent on particular items in the budget.

Functional Area of the Grant

To determine which functional areas of the criminal justice system received Safe Streets funds and in what proportions, each grant was classified according to the following categories: a) police, b) courts, c) corrections, d) juvenile delinquency, e) drugs and alcohol, f) communications and information systems, and g) combinations.

These categories presented few classification problems, with some minor exceptions. In several cases it was difficult to categorize a program that involved more than one area, such as police and courts, courts and juvenile delinquency, or police and communications systems. If it was at all possible, grants were classified in one of the six major categories. Only in those cases where grants clearly involved more than one area (such as criminal justice education courses) was the activity classified under the "combinations" category.

Continuation of Safe Streets Activities

The third categorization involved a determination of whether the activities supported by grants in our sample were continuing, and, if so, the source of the support. The knowledge of the SPA and RPU staff members was relied on heavily to classify these projects. The following categories were used:

238 1) Continuing:
    a) with SPA support
    b) with state government support
    c) with local government support
    d) with other support
2) Not continuing

Because most of the grants in the sample—with the exception of those for short-term equipment, construction and training—were continuing with SPA support, this classification presented few problems. Because so few projects had stopped receiving Safe Streets funds, however, the Commission did not get a true indication of the extent to which state and local governments are continuing activities formerly supported with Safe Streets funds.

Degree of Innovation

The last two sets of categories were the most problematic, partially because of the vague nature of the factor the Commission was trying to assess—innovation—and partially because of the complexity of the categories used.

The first set of categories attempted to assess the degree of innovativeness of grants by determining the extent to which the activities had been attempted before. To form a scale of innovativeness, the ACIR staff made the assumption that grants that had never before been attempted anywhere would be more innovative than those that had been attempted before, but not in the state; and likewise that projects that had never been attempted before in the locality would be more innovative than those that had been attempted before in the locality. Therefore, the categories used were:

1) never attempted before anywhere;
2) never attempted in the state (but attempted elsewhere);
3) never attempted in the locality (but attempted in other areas of the state); and
4) attempted before in this jurisdiction.

There were several problems with this classification scheme. First, it depended heavily upon the SPA or RPU staff member's knowledge of the field in determining the extent to which the activity had been tried in other places. Second, many activities represented substantial expansions of previous activities or greatly improved modernization of previous equipment and facilities. In these instances, ACIR was forced to make a judgment as to the scale of expansion or modernization. If the scale was such as to bring about a qualitative change in the activity, these were classified in one of the "never attempted" categories, depending on the jurisdiction. A routine replacement of equipment or extension of existing services would be classified in the "has been attempted" category.

The final problem involved the complexity of the categories, particularly for those in the Pennsylvania RPUs who were asked to classify their grants without the benefit of a field researcher present to explain the meanings of the categories more fully. While an attempt was made to explain these meanings clearly in the letter, the Commission has less confidence in these responses than in those that were solicited directly by the field researcher.

The final set of categories also dealt with the innovativeness of activities supported with Safe Streets funds. ACIR used the following four categories in an attempt to further characterize Safe Streets-supported activities:

1) a new activity (never tried in this jurisdiction before being initiated with Safe Streets funds);
2) an expansion of an existing activity; an update or modernization of existing activities, facilities, equipment or services;
4) a routine activity.

The primary problem with this categorization involved the grants that could fall into one of several categories. For example, a grant to increase the number of local police officers attending an updated training session could be classified in either b, c or d above, because it could represent an expansion of activity, an updated training session or routine local police training. In these instances, the judgment of the field researcher and the SPA or RPU staff member determined the most appropriate category. Because of the diversity of grants, no simple rule of thumb could be applied.

Chapter IX

Case Studies of Safe Streets Experience

AN INTRODUCTORY NOTE

A major component of the research effort behind this report was the examination of the administration of the Safe Streets program in 10 states. Members of the ACIR field team visited each state to obtain firsthand information on the organization and operation of the Safe Streets machinery in that state. Although these case studies are thorough, they were not designed as highly sophisticated evaluations. They are largely impressionistic studies, although the impressions conveyed are supplemented extensively by data.

The 10 case studies illustrate different approaches taken by the states in implementing the Safe Streets Act. They provide concrete examples of the major issues and problems involved in the block grant approach, as well as the methods adopted by the different states to deal with these problems. The case studies provided ACIR with the opportunity to cross-check the findings of the national survey questionnaires. When considered in conjunction with the preceding sections of this report, these 10 case studies provide a picture of the impact of the Safe Streets program on the criminal justice system.

The case studies were undertaken from May through August 1975. Each describes the Safe Streets program as it was operating in the particular state during that interval. With one exception, no attempt was made to update the individual studies to reflect changes that occurred between the time they were conducted and the publication of the report. Thus, these studies reflect the operation of the Safe Streets program as of the summer of 1975.

The exception was made in the case of California. The fundamental issues raised by Governor Edmund G. Brown Jr. and his staff concerning the program could not be ignored in light of the pending congressional debate over renewal of the act. Because of the national significance of these issues, as well as the fact that they had been largely unresolved at the time of the field research, ACIR staff returned to California in February 1976 to assess how those issues had developed and how they had been addressed. An epilogue to the California case study discusses both these matters.

A variety of factors determined which states would be studied. ACIR sought the advice of both LEAA and the National Conference of State Criminal Justice Planning Administrators in deciding what criteria should be applied. The major criteria were: population, crime rate, geographic location, degree to which the state's administration of the program was centralized, state-local expenditure mix and the location and reputation of the state planning agency (SPA). Other factors considered in the state selection process included: whether or not the SPA had experienced a high staff turnover, particularly in the position of executive director, and whether the SPA had been established by executive order or by statute. Unique political, structural or economic characteristics of a state also were taken into account. The major objective of this selection process was to obtain a diverse, yet representative, sample of the conditions under which the block grant operates.

The field research was performed by members of the ACIR Safe Streets project staff, three of whom had prior experience working with SPAs. One of the three had also been employed by a regional planning unit (RPU); another had held a staff position with NILECJ. One of the remaining members had been employed by a state crime commission; two others had a generalist background.

Each case study was conducted by two to four members of the ACIR project staff. A different combination of staffers visited each state for a period of from one to two weeks, depending on the size of the state and complexity of its program. Most visited more than one state, thus gaining a broader perspective on state-regional-local implementation of the program. Each field team had a designated leader who was responsible for writing the case study.

The field team interviewed a total of 483 state, regional and local officials. On the state level, team members interviewed the governor and attorney general or their aides; the SPA supervisory board chairman; the SPA executive director and principal SPA staff members; state legislators; representatives of the state budget office; representatives of the major state criminal justice agencies; and representatives of public interest groups. On the regional level, they interviewed the RPU supervisory board chairman, the RPU executive director and principal RPU staff members. On the local level, they interviewed chief executive officials, such as mayors and city managers, and legislative officials, such as county commissioners and city council members. Representatives from local criminal justice planning units and major local criminal justice agencies were also contacted.

The interviews focused on issues concerning the organization, function and impact of the Safe Streets program. The interviewers attempted to assess the effect on the program of LEAA leadership and requirements. They inquired about the relationship of the SPAs to the governor, the legislature, other state criminal justice agencies and regional planning units. They solicited facts and opinions concerning the effect of the block grant approach on the integration and effectiveness of the state criminal justice system, and the extent to which the results of this approach had been evaluated at the Federal and state levels. The interviewers also probed opinions concerning the distribution of both planning and action funds along functional and jurisdictional lines, and attempted to assess the extent to which this distribution was viewed as equitable. The specific research questions are listed in the introduction of this report.

The field team also gathered information concerning the Safe Streets program from grant files, minutes of meetings, state comprehensive plans, financial records, audit reports and doctoral dissertations. They supplemented this information by data from the LEAA Grants Management Information System (GMIS): from planning grant applications; and from the SPA, RPU and local questionnaires that had been solicited earlier in the study.

In each case study state, the ACIR field team selected at least two regions, two counties and two cities for examination. In choosing these jurisdictions in conjunction with SPA staff and other knowledgeable observers, care was taken to obtain a mix of urban/rural representation, an assortment of types of government and criminal justice responsibilities, and a variety of experiences.

The case studies that follow are all organized along similar lines. Each case study begins with a brief look at the demographic and Uniform Crime Report data of the state in question. The reasons why the state was chosen are explained and an overview of the organization of the state's criminal justice system is provided. This is followed by a description of the structure and functions of both the SPA and the RPUs. A detailed discussion is then undertaken of the nature and implementation of the state's Safe Streets planning and funding policies, including the distribution and use of action funds and the relevant fiscal issues. An examination is made of the impact of the Safe Streets program on the state criminal justice system, and a section summarizing the major issues concludes each case study. Appendices include a list of interviews conducted as well as the regions and localities visited by the field team. The ACIR circulated the first and second drafts of each case study to the SPA and LEAA regional office concerned, as well as to the LEAA central office, for review and comment.

California

California, largest of the 50 states, with more than 20 million people, ranks third in crime rate and 49th in state criminal justice expenditures. In 1973, according to the "Uniform Crime Report," 6304.9 index crimes per 100,000 population were committed in the state, where local government performs and finances most criminal justice activities.

Although California's demographic characteristics and crime rate alone could have justified ACIR study, the most compelling reason for choosing California was the attitude toward the Safe Streets program on the part of Governor Edmund G. Brown, Jr., who assumed office in January 1975.

Since that time, Governor Brown and his staff have undertaken a complete investigation of the program, which has included a temporary freeze on grant requests and suspension of activity on a large discretionary grant program to identify statewide standards and goals for the criminal justice system. The governor's directives have resulted in a reorganization of the SPA and an effort to redefine the Safe Streets program in the state.

Governor Brown has raised three issues fundamental not only to the operation of the Safe Streets program in California and other states, but also to the reauthorization of the Crime Control Act.

- Governor Brown contends that the Safe Streets program, as legislated by Congress and supported by the citizens of California, should be oriented toward crime control and reduction rather than improvement of the criminal justice system. He maintains that the Safe Streets program should be evaluated on the basis of its impact on the incidence and consequence of crime.
- Governor Brown thinks that the state's planning efforts under the program have far exceeded the intent of Congress as expressed by the amount of Part B funds appropriated for that purpose—a situation he attributes to bureaucratic abuse and the complexities of LEAA guidelines and requirements.
- Governor Brown believes that the Federal grant process end runs normal processes of state and local government by

Table 1

Functional Distribution of Direct Expenditure in California, FY 1972-1973

(In Thousands of Dollars)

Type of Government	Total Criminal Justice		Police		Judicial		Legal Services Representation		Indigent Defense		Corrections		Other	
	$	%	$	%	$	%	$	%	$	%	$	%	$	%
State	413,441	24	174,616	19	22,749	12	13,707	14			195,129	41	7,240	62
County	747,053	44	219,867	24	160,096	84	66,087	66	26,336	.97	270,946	57	3,721	32
Municipal	547,534	32	506,039	56	8,351	4	20,528	20	818	3	11,012	2	786	6
TOTAL	1,708,029	100	900,522	100	191,196	100	100,322	100	27,155	100	477,087	100	11,747	100
Distribution by function	100%		53%		11%		6%		.2%		28%		.07%	

Source: U.S., Department of Justice and U.S. Department of Commerce, *Expenditure and Employment Data for the Criminal Justice System 1972-1973*, Washington, D. C.: Government Printing Office, 1975, Table 7, pp. 30-31.

encouraging funding of projects that are not really wanted and by supporting system improvements that are properly state and local responsibilities.

The case study report concentrates on these issues and includes a history of California's Safe Streets program from 1969-1975 and a detailed analysis of its operation under the Brown administration.

THE CRIMINAL JUSTICE SYSTEM

County and municipal governments together account for 76 percent of the total expenditures for the state's criminal justice system (see Table 1). Counties provide the majority of funds spent on the judiciary, legal services and representation, indigent defense, and corrections. Cities make the greatest outlays for police services. State expenditures account for 24 percent of the total criminal justice budget.

The state judiciary is headed by the Supreme Court, which has original jurisdiction in writs of mandamus, habeas corpus, prohibition and certiorari. The Supreme Court hears appeals cases from the appellant courts and from trial courts in any case involving the death penalty. The Supreme Court consists of a chief justice and six associate justices, who are required to be members of the California Bar for 10 years prior to service.[1]

The courts of appeal have jurisdiction over the courts of general trial jurisdiction and other cases as specified by statute. The 13 courts of appeal are divided among five appellate districts, located in Sacramento, San Francisco, Fresno, Los Angeles and San Diego. The number of judges is determined by law and varies from three to five according to district.

Supreme Court and courts of appeal justices are initially appointed by the governor, but must run in uncontested elections every 12 years thereafter. The governor makes appointments to mid-term vacancies.

The superior courts, trial courts of general jurisdiction, operate in each of the state's 58 counties. Each court has at least one judge, and the state's largest superior court, in Los Angeles, has 205. The legislature has authorized a total of 477 judgeships for all superior courts. The governor makes initial appointments and fills mid-term vacancies, after which the judges must run for election every six years. To be eligible for office, judges must have been members of the California Bar for at least 10 years prior to appointment. The state pays the major portion of the judges' salaries. The counties provide bailiffs, reports, general staff, buildings and equipment for the superior courts.

The lower courts in California sit in districts established by the board of supervisors and are financed by the counties they serve. As of December 1974, there were 77 municipal courts, which sit in districts of more than 40,000 population, and 213 justice courts, which sit in smaller districts. Both courts have criminal jurisdiction over misdemeanors resulting in fines under $1,000 and preliminary examinations in felony cases. Municipal courts also have jurisdiction over all misdemeanors and ordinance violations. Judges for both courts are elected to six-year terms. Vacancies on the municipal courts are filled by gubernatorial appointment; the board of supervisors appoints judges to justice court vacancies.

The Judicial Council is the chief administrative body of the judiciary. The council membership consists of the chief justice of the supreme court, the group's chairman, one associate justice of the supreme court, three judges of the municipal courts, two judges of the justice courts, four attorneys, one state senator and one state assemblyman. The council is required to survey judicial business, make recommendations to the courts and report annually to the governor and the legislature. The group also adopts court rules of administration, practices and procedure. The Administrative Office of the Court is the staff arm of the council. Two state-level commissions, the Commission on Judicial Qualifications and the Commission on Judicial Appointments, also deal with judicial personnel.

The district attorneys elected in each of the state's 58 counties prosecute all criminal offenses. District attorneys and their assistants must hold law degrees. In five rural counties, the district attorney fills a part-time office. In Los Angeles County, the district attorney's office employs 398 full-time attorneys. The office of the district attorney is financially supported by the county it serves. Some cities in the state employ a city attorney, who generally has no criminal prosecution function, except when a district attorney does not prosecute violations of local ordinances. The state Office of the Attorney General and the Department of Justice assist district attorneys in criminal prosecutions.

Defense services are not provided by the state, although California law requires that all indigent persons charged with a triable offense have access to legal counsel. In 1973, 31 counties complied with state law by use of public defenders, 19 by assigned counsel programs, and eight by contractual arrangements with law firms.

Although law enforcement is mainly a county and municipal function, the California Highway Patrol (CHP) and the state's Department of Justice have important responsibilities. Primarily a traffic safety agency, the CHP has jurisdiction over highways outside incorporated areas and all freeways. The CHP also assists local police departments and sheriffs' offices in preserving law and order. In 1973, the CHP employed 7,565 sworn officers.

The attorney general heads the Department of Justice and is the chief law enforcement officer in the state. The Department's Division of Law Enforcement provides identification of persons and property and criminology services and conducts special operational investigations. The Commission on Peace Officer Standards and Training (POST) within the Department of Justice is charged with raising and maintaining the level of competence of California's peace officers by establishing selection standards, certifying training courses and furnishing administrative counseling to requesting agencies.

In all 58 counties, an elected sheriff is primarily responsible for law enforcement in unincorporated areas and often provides police services for incorporated cities on a contractual basis. There are 13,425 sworn deputy sheriffs in California; individual departments range from 5,216 sworn personnel in Los Angeles County to five in Alpine County. In addition to law enforcement responsibilities, sheriffs also perform civil duties, such as process service and, in 51 counties, operate jail facilities. In 33 rural counties, the sheriff also acts as county coroner.

There are more than 25,000 full-time sworn officers in California's 346 municipal police departments. The Los Angeles Police Department, the state's largest, employs 7,134 sworn officers. San Francisco employs 1,958 and San Diego, 1,014. Of the remaining cities in the state, more than 200 employ between 10 and 100 sworn officers and 70 employ fewer than ten.

The California Department of Corrections is designated by statute as the state agency responsible for providing: (1) secure detention, humane support and corrective treatment for committed adult offenders; (2) supervision and continued treatment for parolees and outpatients released in the community; and (3) advice and assistance to, and cooperation with, other governmental agencies and citizens groups concerned with crime prevention, criminal justice and rehabilitation. The department is primarily concerned with controlling and rehabilitating convicted felons committed to it by the courts and operates 12 major institutions, 18 conservation camps, four community correctional centers and 60 field parole units.

The granting, revocation and term of parole for a convicted adult felon are determined by one of three independent releasing authorities. Male felons are under the jurisdiction of the Adult Authority; female felons are under the direction of the Women's Board of Terms and Parole. The Narcotic Addict Evaluation Authority establishes the length of inpatient and outpatient treatment for civil commitments of narcotic addicts.

Local adult correctional institutions include 181 city jails, usually operated by police departments, and 96 county jails and county camps for convicted offenders. In 51 counties, jail facilities are run by the sheriff. Other agencies, such as corrections departments, operate jails in the other seven counties. Local jails house defendants awaiting trial and convicted offenders awaiting sentencing or serving short sentences.

Fifty-six of California's 58 counties have probation departments serving the superior, municipal and justice courts in the county. The staff size of these departments ranges from one full-time probation officer in Amador and Modoc Counties to 2,118 in Los Angeles County. These departments provide supervision and services to convicted offenders who are placed on probation. County funds support probation activities.

The Department of Youth Authority, a component of the state Health and Welfare Agency, has responsibility for all juveniles committed by the courts to the state for supervision and for any young adults (ages 18, 19 and 20) who are specifically committed to the department by the criminal courts. In addition, the Department of Youth Authority is responsible for providing leadership on behalf of the state in delinquency prevention. The department operates 10 juvenile institutions, five conservation camps and 40 field parole offices. It has statutory responsibility for developing standards for juvenile halls, the local detention facilities used by law enforcement agencies when juveniles are taken into custody, and standards for jails used to detain juveniles.

The Department of Youth Authority also assists county correctional agencies. (Nineteen counties operate 68 juvenile rehabilitation facilities, all of which are partially subsidized by the state.) The Probation Subsidy Program, administered by the department, funds intensive supervision programs for adults and juveniles in the probation departments of 47 counties.

THE SAFE STREETS PROGRAM IN CALIFORNIA FROM 1967 TO 1975

The Safe Streets Organization

In 1967, the California Council on Criminal Justice (CCCJ) was established by the state legislature under the Deukmejian-Moretti Act (Chapter 1661 of the Statutes of 1967, Sections 13800-13807 of the California Penal Code). The legislation prescribed that the council would perform criminal justice planning and research functions, that its members were to be appointed by the governor, and that the council would select an executive director to head its staff. After passage of the Safe Streets Act in 1968, Governor Ronald Reagan designated the CCCJ as the state planning agency (SPA) and the supervisory board responsible for implementing the Safe Streets Act in California (Executive Order R13-69). At the time of its designation as the SPA, the CCCJ was still in the process of developing an adequate staff complement.

The council decided to pursue a regional approach to criminal justice planning and created eleven regions based on existing councils of governments (COGs). (California had no uniform set of substate planning districts.) The council directed that a regional advisory board consisting of 13 members be established in each of the 11 regions. Multicounty regions encompassing large population centers were encouraged to organize subregional advisory boards.

Although the council established regional advisory boards to insure local input in the SPA's decision-making process, it did not intend to delegate any authority or control over the Safe Streets program to these groups. Regional advisory boards were charged with conducting research studies to learn about their criminal justice system, determining local and regional needs, developing plans and recommendations for CCCJ consideration, and identifying the extent to which regional goals could be fulfilled by specific projects.[2] The regional advisory boards were required to employ a professional staff, but the amount of Part B funds available severely limited the number of personnel. Most of the regional advisory boards began to act as intermediaries between local applicants and the CCCJ early in their existence and, despite a broader mandate from the council, remained largely application-oriented.

Reacting to pressure from dissatisfied local governments in the major urban centers, the council reorganized the substate system in 1971, creating 21 regions to replace the original 11. Many of the new regional advisory boards had been subregional advisory boards. The restructuring of regional boundaries resulted in the creation of nine single-county regions, two dual-county regions, and two tri-county regions. Only one regional advisory board associated with a council of governments remained intact. The increase in Part B planning funds nationally and their distribution on a population basis to the new regions enabled regional advisory boards to augment their staff and gave some localities a planning staff capability that they had lacked. The new regional system was not fully implemented until 1972, when the regions began to receive Part B funds and perform their Safe Streets responsibilities.

The relationship between the CCCJ and the regions remained the same. The council passed through to the regions and localities only the 40 percent of the Part B funds required by the Safe Streets Act. The CCCJ staff, and particularly its executive director, were determined to maintain strong state control over the program.

The Crown Legislation

The legislature's first major review of CCCJ operations occurred when Assemblyman Crown conducted hearings on the program in 1971. Legislative interest was generated, in part, by concern over a lack of meaningful legislative oversight role in the Safe Streets program. (According to a former aide, the governor felt that the legislature should not be involved with CCCJ administration in any way since its policy voice had been expressed in statutes.) Legislative dissatisfaction with the Safe Streets program was also generated by concerns about the direction of some grant-funded programs and by controversy over the regions.

The result of the hearings was a 1972 bill that would have changed the composition of the CCCJ to five full-time, salaried staff members. The governor, citing an LEAA General Counsel's opinion, vetoed the legislation as being in violation of the intent of Congress as expressed in the Safe Streets Act.

The veto did not put the legislature's concerns to rest. With the 1971 amendments to the Safe Streets Act, state legislatures were given a greater role in the program, beginning in FY 1973, because they had to make appropriations to buy into local programs. Seeing the additional leverage created by this new responsibility, Assemblyman Crown tied enactment of the legislation he introduced in the 1973 session to the approval of the CCCJ's appropriation request for buy-in. Assembly Bill 1305 was passed and became Chapter 1047 of the Statutes of 1973, thus amending Sections 13800-13807 of the California Penal Code.

The legislation initiated major changes in the program. The size of the CCCJ was reduced to 25 and its composition was altered. Under the new law, the attorney general and the administrative director of the courts were designated members; the governor was to appoint 13 members, including the commissioner of the Department of the Highway Patrol and a representative of the state corrections agencies; and the Senate Rules Committee and the speaker of the assembly were to appoint five members each. The makeup of the appointments to be made by the governor, the Senate Rules Committee and the speaker of the assembly were prescribed by the law. The large number of legislative appointments required by law in California is very unusual.

During the next session of the legislature, the membership of the council was increased by two members: the governor was directed to name the director of the Department of Corrections, raising his appointments to 14; and the speaker of the assembly was given an additional appointment, raising his total to six.

As of November 14, 1974, the council was composed of nine representatives of state government, 14 of local government, three public members and one vacancy. Eight members were law enforcement/police representatives (including the attorney general), six represented the courts function (including prosecution and defense), four represented corrections and eight did not represent criminal justice functional areas. Ten of the 27 members were elected officials, five of whom were local chief executives or legislators.[3] The governor appointed the attorney general chairman of the CCCJ.

The Crown legislation created the Office of Criminal Justice Planning (OCJP), which was to be the staff to the council. Before the legislation, the SPA staff had been a part of the CCCJ. The law also required that OCJP be administered by an executive director appointed by and responsible to the governor. Previously, the CCCJ executive director had been selected and employed by the council.

The Crown bill made statutory recognition and definition of regional criminal justice planning districts and boards. Title 6.5 of the California Penal Code, "Local Criminal Justice Planning," begins with the following statement:

> The legislature finds and declares:
>
> (a) That crime is a local problem that must be dealt with by State and local governments if it is to be controlled effectively.
>
> (b) That criminal justice needs and problems vary greatly among the different local jurisdictions of this State.
>
> (c) That effective planning and coordination can be accomplished only through the direct, immediate and continuing cooperation of local officials charged with general governmental and criminal justice responsibilities.
>
> (d) That planning for the effective use of criminal justice resources required a permanent coordinating effort on the part of local governments.

Such recognition was considered by regional and local officials to be a victory for decentralizated authority and a more permanent status for regional units. The Crown measure sketched broad guidelines for the establishment and operation of regional planning units, which permitted local governments to define the type of arrangement used to establish the unit, the boundaries of the planning district and the composition of the board membership. The discretion permitted to localities under Title 6.5 marked a shift in the focus of control over regional activities. Prior to the new law, the CCCJ could have prescribed specific regional boundaries or could have abolished the regions completely.

The law created the Judicial Criminal Justice Planning Committee to advise and consult with the CCCJ and OCJP on matters relating to the courts. The committee is independent of the executive branch—its seven members are appointed by the judicial council, the agency responsible for the state's court system. In establishing it, the legislature's intent was to observe the constitutional separation of powers principle.

State-Regional Reshuffling

The day before the Crown legislation became effective (Jan. 1, 1974), Governor Reagan issued Executive Order R48-73, which designated the CCCJ as the supervisory body and the OCJP as the administrative body of the SPA under the Safe Streets Act and the Juvenile Delinquency Prevention and Control Act of 1968. The executive order augmented the governor's control of the program by making the OCJP directly responsible to him and the position of executive director a gubernatorial appointment. The governor appointed as new executive director of the OCJP his special assistant for criminal justice and governmental organization. As a result of these changes, more direct and systematic lines of communication were established between the OCJP executive director and the governor's office. The governor's appointment of the legal affairs secretary to the CCCJ further increased his contact with and influence over CCCJ/OCJP operations. 250

Under the Crown legislation, the OCJP, in cooperation with the regional advisory boards, was to:[4]

> (1) Develop with the advise and consent of the Council, the comprehensive statewide plan of criminal justice throughout the State.
>
> (2) Define, develop and correlate programs and projects for the State criminal justice agencies.
>
> (3) Receive and disburse federal funds, perform all necessary and appropriate staff services required by the Council and otherwise assist the Council in the performance of its duties as established by Federal acts.
>
> (4) Develop comprehensive, unified and orderly procedures to insure that all local plans and all state and local projects are in accordance with the comprehensive State plan, and that all applications for grants are processed efficiently.
>
> (5) Cooperate with and render technical assistance to the Legislature, State agencies, units of general local government, combinations of such units or other public or private agencies, organizations or institutions in matters relating to criminal justice.
>
> (6) Conduct evaluation studies of the programs and activities assisted by the Federal acts.

In order to accomplish its mission, OCJP was organized into the following four divisions, which directly reported to the executive director:[5]

> *The Planning and Programs Division* was responsible for the preparation of the annual comprehensive plan and planning grant application, for liaison with the regions in all matters affecting local grant funded projects and programs, and for liaison with State and other non-local agencies concerning the planning and funding of State initiated programs and other special programs such as narcotics enforcement.
>
> *The Standards and Evaluation Division* was responsible for the analysis of crime data, evaluation of program effectiveness, promotion of sound operational standards and guidance of the development of manpower and training and information and communication systems.
>
> *The Research and Technical Assistance Division* conducted crime analysis, conducted research about gaps in knowledge about crime and the criminal justice system, provided technical assistance to State and local agencies, developed strategies to reduce crime and improve the system, provided for the transfer of information on criminal justice technologies to criminal justice agencies and operated and developed analytical models of the criminal justice system.
>
> *The Management Support Services Division* served to support the activities of the other Divisions and managed all funds made available to OCJP, provided for all administrative matters, handled the recruitment, hiring and other personnel matters of OCJP and provided for the publication of all technical documents.

Six sections also reported to the director: the Audits and Internal Affairs Branch, Legal and Human Services Branch, Information Section, CCCJ Liaison Section, Public Safety Planning Section, and the Grants Management Section The detailed descriptions of the functions and responsibilities of the different sections, branches and divisions reveals overlapping.

OCJP staff size had grown considerably since the beginning of the Safe Streets program. According to the FY 1975 planning grant application, the OCJP staff supported 90 professionals and 60 clerical employees with Part B funds.[6] In addition, Part C block and discretionary monies funded about 60 more staff positions. The total staff complement of the OCJP in January 1975 was 212 persons.

Staff turnover was not a major problem within the OCJP/CCCJ staff, even with a change of executive directors in 1974. A number of new staff members were hired by the OCJP during FY 1974, some of whose positions were created through the use of consulting contracts under Part C funds. Other staff increases resulted from the establishment of a standards and goals unit. Some interviewees thought that the OCJP executive director hired additional personnel to build a shadow staff because he did not get along well with the existing staff.

The qualifications of the OCJP staff were questioned by several of those interviewed, who said that many incompetent state career employees had been shuffled over to the OCJP and the CCCJ prior to 1974. Although no adequate measure of staff competence exists, a review of the backgrounds of the 13 managers of the OCJP in 1974 (including the executive director, the executive assistant, the deputy director, the four division directors and the six section chiefs) revealed that only six had college degrees and only one had an advanced degree. Six of the top managers had extensive law enforcement and criminal justice backgrounds, but only two of them also had college degrees. Because this information is so general and data concerning the background of the rest of the staff were not researched, no conclusions about staff competence can be reached.

The changes caused by the Crown legislation at the state level had no immediate impact on regional operations. In response to the legislative mandate to give more control to the regions, the OCJP executive director embarked on a policy course of state deference to regional concerns. The director's approach, the antithesis of his predecessor's policy, caused concern among SPA staff members who preferred a strong state role and resented the subordination of their recommendations to regional views. Several interviewees thought that this internal conflict caused the executive director to create a loyal shadow staff.

By 1974, the regional directors and chairmen of the regional planning boards had organized into associations. As a result of the increased participation of the regions in all SPA decisions about substate operations and the desire of the regions to increase their stature in the program, the CCCJ approved a grant to establish a staff for both the Regional Criminal Justice Directors' Association and the Regional Criminal Justice Planning Board Chairmen's Association, as of January 1975.

Table 2

Elected Membership of the California Regional Criminal Justice Planning Boards FY 1976

Region	Total	Number Elected	Percent Elected
A	28	15	54
B	35	19	54
C	26	14	54
D*	50	23	46
E	28	15	54
F**	20	12	60
G	27	14	52
H	26	13	50
I	29	15	52
J	31	16	52
K	27	15	56
L	28	15	54
M	27	14	52
N	39	20	51
O	25	13	52
P	29	15	52
Q	31	16	52
R	24	15	63
S	39	20	52
T	25	13	52
U**	9	7	78
TOTAL	594	319	

*These numbers representing the membership of this regional board reflect only the Criminal Justice Advisory Board to the COG.

**These numbers representing the membership of these regional boards reflect only their executive committees.

Source: California FY 1976 planning grant application.

Under the Crown legislation, regional planning boards could be set up by joint powers agreements or other arrangements acceptable to the localities. As of 1974, five regional planning boards operated under joint powers agreements and one (San Francisco) under city ordinance, 12 functioned as unincorporated associations and three, as nonprofit corporations.[7] Each region sets forth its own bylaws, which prescribe membership and operating procedures. The composition of planning board membership and the scope of their activities varied among the regions.

Table 2 presents the size of each regional board and the number of elected officials on them. The largest regional board, which has 50 members on the COG's Criminal Justice Advisory Committee, is in Region D. Two regional planning boards have 39 members. The smallest board is the nine-member executive committee of Region U's planning board. Every region except Region D, which considers the COG council its official body, has elected officials comprising at least half its membership. Only three regional planning boards have more than 60 percent elected representation.

Table 3 shows that 16 percent of the regional planning board members represented the general pub-

Table 3

Functional Distribution of California Regional Criminal Justice Planning Board Membership FY 1976

Region	Mayor/City Manager	City Council	Board of Supervisors	Sheriff	Police Chief	Judge	District Attorney	Public Defender	Probation Officer	Other Government	Public
A	4	1	4	4	5	2	2	1	2	1	2
B	3	4	5	5	5	2	1	—	2	2	6
C	2	3	4	2	4	2	1	1	1	1	5
D	1	4	6	8	7	3	5	1	4	2	9
E	—	4	4	2	4	4	2	2	2	—	4
F	1	—	3	1	1	3	1	1	2	3	4
G	2	7	2	1	2	2	1	1	1	4	4
H	3	6	1	1	2	2	1	1	1	3	5
I	4	5	2	1	2	3	1	1	1	2	7
J	6	7	1	1	3	2	1	1	2	—	7
K	—	4	4	3	5	3	1	1	1	2	3
L	3	1	4	4	3	2	1	1	1	4	4
M	—	3	3	3	6	3	3	1	1	—	4
N	6	3	5	5	5	—	5	—	5	3	2
O	1	1	2	2	1	4	2	1	2	4	5
P	4	3	2	2	3	1	2	—	2	5	5
Q	2	6	1	1	3	3	1	1	—	7	6
R	1	7	1	1	2	3	1	1	1	3	3
S	2	4	3	3	3	6	3	3	3	4	5
T	1	8	1	1	2	2	1	1	1	3	4
U	3	1	1	—	1	1	1	—	—	1	—
TOTAL	49	82	55	50	69	53	37	20	35	54	94
Percent of Total	8	14	9	8	12	9	6	3	6	9	16

Source: California Council on Criminal Justice.

lic. Representatives of general local government (mayor, city manager, city council, board of supervisors) accounted for a total of 31 percent of the membership. Elected criminal justice officials (sheriffs, judges and district attorneys) represented 24 percent of the boards' membership. Overall, no one group appears to be overrepresented.

Safe Streets Planning

The planning process used by the CCCJ and the OCJP to develop the FY 1975 state plan relied heavily upon the 21 regional plans, the state agency plan, the Part E plan for correctional improvements and special program plans that addressed specific crimes or system problems. Although statewide crime and system performance data were available for integration into the decision-making process, they were rarely used. Instead, the CCCJ relied upon the decisions already made by regional and state agency officials, as incorporated in their annual plans.

The planning process varied from region to region and was based upon the prior knowledge of a tentative allocation of Part C funds to each region determined by the regional action grant allocation formula. Six factors were included in the formula: total Part I crimes reported, criminal justice expenditures, adult felony arrests and juvenile major arrests, estimated population on July 1, superior court dispositions and superior court convictions. Three years of data were used in order to account for annual fluctuations. The figures based on the formula were then slightly modified to insure that each region received at least $100,000 in Part C funds.

The OCJP also issued planning guidelines to the regions. Guidelines varied in complexity from year to year; the FY 1975 document consisted of a one-page list of policy statements. In addition, the regional planning boards were to be guided by the following CCCJ policy:

> It is the declared policy of the California Council on Criminal Justice and the Office of Criminal Justice Planning that they shall not concern themselves with the socio and economic causative factors as they may relate to crime other than to redirect those programs to the appropriate federal or State agency directly concerned as other federal programs have been created to address such factors. Therefore, they shall address problems whose primary responsibility for solving rests with established law enforcement and criminal justice agencies.[8]

Each year the regions were required to submit an annual action plan that included an overview of resources and needs, a problem description, a prioritized list of projects to be funded in the coming year, full grant applications for new projects and summaries of continuation projects.

The quality of the planning processes at the regional level also varied. According to most officials interviewed who had some knowledge of regional planning capacities, fewer than 25 percent of the regions did more than prepare the prescribed documents. There were a few notable exceptions, such as Region Q in Ventura County, which integrated the results of a highly developed data analysis into its total criminal justice resource allocation and planning process. Several state and local officials stated that the decision-making process pursued by regional boards was closer to pork barreling than to planning and attributed this situation to the planning guidelines emphasis on selecting projects for funding.

The OCJP staff reviewed the regional plans thoroughly. Most regional directors interviewed said that OCJP reviews resulted in nit-picking but rarely in any substantive criticisms of projects chosen for funding in the state plan. More than 500 grants were proposed for funding in the FY 1975 regional plans, and the CCCJ only rejected one.

The procedures used to develop the state agency plan were determined by the Public Safety Planning Council (PSPC), the group designated by the governor to plan for the criminal justice effort in state government. The PSPC was composed of 22 members, including all state-level officials responsible for public safety and criminal justice functions. The group's chairman was the executive assistant to the governor. Many PSPC members also served on the CCCJ, among them the OCJP executive director.

The OCJP initiated the state agency plan by requesting state criminal justice agencies to submit information using an OCJP format based on specific program areas. The OCJP then incorporated the data into a draft plan, which it presented to the PSPC for review and approval. The state agencies submitted grant applications, from which the OCJP prepared a priority list for presentation to the PSPC with a revised draft of the state agency plan. The PSPC reviewed and approved the state agency plan, including the list of priority projects—which, according to several interviewees, was developed only after considerable negotiation at the PSPC. The approved state agency plan was then submitted to the CCCJ for review. Because the OCJP had worked so closely with state agencies to prepare the plan and because so many PSPC members were also CCCJ members, the CCCJ rarely questioned the state agency plan. State agency grants for Safe Streets funds were not reviewed by the Department of Finance. Several interviewees thought that this process had made the Safe Streets program the private preserve of the governor. Proponents of this system said that it encouraged interdepartmental cooperation and focused the block grant retained at the state level on systemwide improvements.

Part E plans and the plan for the statewide crime-specific programs were also included in the materials reviewed by the CCCJ. Some of these plans had been developed in response to special conditions on previous plans and past negotiations with the LEAA regional office. Preparation of the Part E plan, which supported local correctional facilities, required the direct input of county and city officials. While the OCJP staff was the major drafter of the Part E plan, an advisory committee provided direction and professional expertise to the staff. Development of the Part E plan included review and approval of specific project applications and a ranking of requests for Part E funds.

The OCJP coordinated preparation of the plans, with little involvement on the part of the CCCJ. According to the timetable prepared for the FY 1975 California state plan, the CCCJ was to give early approval of the program structure and plan outline, followed by approval of the draft problems, needs and priorities, and ultimate review and approval of the final plan. The importance of the CCCJ's involvement is open to question because the supervisory board was to approve the draft problems, needs and priorities prior to completion of the description of crime in the state and the submission of the state agency and regional plans. Several interviewees asserted that the CCCJ was run by the staff of the OCJP.

When the state plan was ready for CCCJ final review, it was also forwarded to the Judicial Criminal Justice Planning Committee for review and approval. After approval of both committees, the plan was submitted to the LEAA regional office. Many regional office staff members said that the quality of the plan—particularly the planning process—was not adequate for the size and sophistication of the criminal justice system in the state. However, these interviewees pointed out that they had not been able to correct these problems due to the state's influence in Washington. State officials, on the other hand, considered the regional office a "paper tiger." The importance of California to the Safe Streets program—in terms of the state's size and relative progressiveness—and the political influence that its governor could wield in Washington placed the regional office in a delicate position: the statute and guidelines had to be enforced without jeopardizing the state's participation in the program. No action to disapprove a state plan, to get tough by enforcing special conditions or to take other extreme measures has ever been formally proposed by the regional office, even though several staff members favored such action.

In response to the ACIR local questionnaire,* more than 56 percent of the respondents said that the state plan reflected or incorporated their needs either very little or not at all (Table 4). Conversely, more than 63 percent reported that the regional plans reflected and incorporated their needs to a significant or adequate extent. This response could be attributed to the high level of local awareness of the regional plan. The lack of local participation in the statewide planning process probably prompted the negative assessment of the state plan.

Plan Implementation

In addition to the submission of full applications for new projects in regional and state agency plans, the review process for grant approval required a separate submission of completely executed grant applications (i.e., inclusion of all additional documentation such as Environmental Impact Statements, Civil Rights Compliance Certification, etc.). OCJP policy in 1974 required that all applications be formally submitted within 120 days of the project start-up date to allow for proper review and contract negotiations. Projects must have been included in a regional or state plan in order to receive funding. Applications from regional plans had to be approved by the regional planning board prior to submission to OCJP, which usually meant review by regional staff before submission to the board. State agency grants and grants from private agencies applying for state programs were submitted directly to the OCJP, which scrutinized them prior to their submission to the PSPC for review. All applications from the courts were transmitted to the Judicial Criminal Justice Planning Committee for review and comment. Each grant application received an additional review by the body that had originally approved it for submission to the OCJP.

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*In June 1975, ACIR mailed a questionnaire to all cities and counties of 10,000 or more population in order to determine their attitudes concerning the Safe Streets program. ACIR received responses from 125 California cities (56 percent) and 33 counties (65 percent).

The state provided a 10 percent hard cash match for all state agency programs and private programs funded at the state level and half of the required 10 percent hard cash match for all local projects. The state legislature appropriated a lump sum to the OCJP for use as hard match and state buy-in. When grants were finally approved, grantees received both Federal money and the state match from the OCJP. In compliance with the Safe Streets Act, all private nonprofit agencies were required to secure a sponsoring agency to apply through a regional planning board or to apply directly to the OCJP/CCCJ, which would supply the full match required. Because the hard match was required for local projects, the OCJP required that every local application include a resolution from its governing body that the amount of necessary match would be available if the application was approved.

Once the application was submitted, reviewed and approved, the potential subgrantee entered into negotiations with the OCJP to develop a contract delineating their respective responsibilities for the approved project. Regional staff sometimes participated in these negotiations on behalf of their localities. In some instances, a contract was agreed to by both parties without any formal negotiations. When no agreement could be reached, the grant was not accepted and the project was not funded.

Once the contract was signed and the project begun, monitoring commenced. Local projects funded through regions were monitored by regional staffs unless the OCJP elected to monitor a new or unusual project. All state agency grants were monitored by the OCJP. The OCJP and the CCCJ defined monitoring as on-site reviews of the programmatic and fiscal progress of a project. Monitoring was undertaken by the SPA to determine contractual compliance, to provide needed technical assistance, to assist the evaluation effort, and to develop information for planning decisions. Most project contracts required at least two regional or state monitoring reports each year. In addition, subgrantees had to submit quarterly progress reports and biannual internal assessments. The subgrantees whose projects were monitored by the regional planning board staff

Table 4

Local Views on Extent to Which the Regional and State Plans Incorporate and Reflect Local Needs and Priorities in California

October 1975

	Significantly		**Adequately**		**Very Little**		**Not at All**		**No Response**		**Total**
	No.	%	No.	%	No.	%	No.	%	No.	%	%
State Plan											
Municipal	5	4	40	32	53	42.4	16	12.8	11	8.8	125
County	0	—	11	33	19	57.5	2	6	1	3	33
Total Local	5	3.1	51	32.2	72	45	18	11.3	12	7.5	158
Regional Plan											
Municipal	22	17.6	55	44	29	23.2	9	7.2	10	8	125
County	7	21.2	16	48.4	3	24.2	0	—	2	6	33
Total Local	29	18.3	71	44.9	37	23.4	9	5.6	12	7.6	158

Source: ACIR 1975 Safe Streets survey.

would submit all reports to both the regional board and to the OCJP. According to many interviewees, monitoring efforts affected some implementation and refunding decisions at the regional level. No such effect was evident at the state level.

OCJP evaluation was conducted by the Evaluation Branch of the Standards and Evaluation Division, which was supported by a Part C grant of $1,403,962 for the period of September 1, 1974 to August 31, 1975. Although some program evaluation had been conducted by OCJP before Part C funding of this activity in 1974, an overall approach to evaluation had not been initiated. In 1974 and 1975, consultants evaluated clusters of projects or programs and regional and subgrantee evaluations of individual projects. The ACIR field team found no evidence

Table 5

Planning Allocations to Regions and Major Cities and Counties
FY 1974-1975

Region Locality	Part B	Part C	General Fund	Local Match	Total
A	$66,793				$66,793
B	72,930				72,930
C	72,300				72,300
D	105,195	$45,159	$5,018		155,372
E	115,330				115,330
F		177,507	19,723		197,230
G	127,850				127,850
H	115,710				115,710
I		198,510	22,057		220,567
J	130,370	42,237	4,693	$20,000	197,300
K	95,700				95,700
L	58,090				58,090
M	99,510				99,510
N	155,400				155,400
O	48,302				48,302
P	89,360				89,360
Q	112,000				112,000
R		465,300	51,700		517,000
S	157,000				157,000
T		186,453	20,717		207,170
U	159,230				159,230
County of San Bernardino		12,500	695	5,669	18,864
City of Los Angeles		147,721	8,206	8,206	164,133
County of Los Angeles		75,000	4,790	4,791	84,581
City of Long Beach		20,000	1,111	1,111	22,222
TOTAL	$1,780,800	$1,370,387	$ 138,910	$ 39,777	$3,329,674

Source: California Council on Criminal Justice.

Table 6

Regional Rating of the Adequacy of Part B Funds

October 1975

	Excessive	Adequate	Inadequate	No Response	Total
SPA	11	4	3	1	19
RPU	0	4	15	0	19
Local	0	3	7	9	19

Source: ACIR 1975 Safe Streets survey.

that evaluation results had been used in the planning and funding processes at the state level. However, project evaluations did affect decision-making at the regional level in a number of instances. Several regional staff members said that the state's lack of evaluation was evidenced by its requests for technical assistance from their region.

The planning process at the OCJP was extremely complex and often led to duplication of effort. Most regional and local officials interviewed said that the application process and the implementation and administration of awards were completely dominated by bureaucratic red tape. Many regional officials resented the overt administrative duplication of their efforts and those of the OCJP. Interviewees generally expressed a great deal of frustration about their participation in the OCJP/CCCJ grant award process during 1974.

Allocation and Adequacy of Part B Funds

Keeping within the 40 percent minimum pass-through of Part B funds to units of local government, the OCJP/CCCJ increased the funding available for regional and local planning efforts by utilizing Part C funds in regions and localities that qualified as Criminal Justice Coordinating Councils. The OCJP interpreted provisions of the Safe Streets Act to mean that any region or locality with a population in excess of 250,000 was eligible to receive Part C funds for planning.

The actual amount of Part B and C funds to be allocated was determined in negotiations between the region and the OCJP. An initial allocation target was developed by OCJP based upon the previous year's allocation, an evaluation of the region's request for funds, the availability of funds and the ability to use Part C funds. Five of the 21 regions did not qualify for use of Part C funds. Fifteen cities and counties were eligible for direct planning assistance, although only four availed themselves of the opportunity. Table 5 presents the FY 1974-1975 planning allocations to the regions and participating localities. The CCCJ allocated $1,780,000 of Part B funds (40 percent of the state's Part B block grant) for regional and local planning and $1,370,387 of

Table 7

Part B, C and E Allocations to California
FY 1969-1975

(In Thousands of Dollars)

Type of Funds	1969	1970	1971	1972	1973	1974	1975	Total
Part B	1,388	1,566	2,090	2,957	3,976	3,976	4,452	20,404
Part C	1,937	17,287	32,999	40,060	46,495	46,495	46,390	231,662
Part E	—	—	2,421	4,721	5,470	5,470	5,460	23,542
								$275,608

Table 8

Recipients of California Safe Streets Funds
1974 Grant Sample

Recipient	Number of Grants	Percent of Grants	Amount of Funds	Percent of Funds	Amount of Average Grants
State	17	12.4	$2,458,159	20.5	$144,597
County	75	54.7	6,237,310	52.0	83,164
City	43	31.4	3,185,924	26.6	74,091
Other	2	1.5	103,347	0.9	51,673
TOTAL	137		$11,984,740		

Part C funds to augment Part B support of regional and local planning efforts.

As a part of its overall assessment of Safe Streets experience, the ACIR conducted a survey of all regional criminal justice planning units during the summer of 1975. Nineteen of the 21 regions in California responded. When asked, "Do you feel that the 60-40 pass-through formula for Part B funds provides the most appropriate division of planning resources between the state, regional and local levels?", 17 of the 19 regional respondents said "no." Table 6 presents the regional ratings of the adequacy of Part B planning funds. Almost 60 percent of the respondents thought that the amount of Part B funds awarded to the SPA was excessive; almost 80 percent thought that the amount of planning funds allotted to support regional functions was inadequate. The dissatisfaction of regional officials probably resulted from the fact that the CCCJ had delegated new responsibilities to them in 1974 without providing commensurate funding.

Safe Streets Funding

More than $275 million of Safe Streets Part B, C and E funds were allocated to California from FY 1969 to FY 1975 (Table 7). The state received $20.4 million in Part B funds, $231.7 million in Part C (action) funding and $23.5 million in Part E funds.

Distribution and Use of Safe Streets Funds

California has awarded about 650 grants each year to state agencies, local units of government and private nonprofit agencies for a variety of crime reduction and system improvement projects. Generally these grants have ranged in amount from $500 to $250,000, although a few were for larger amounts. To determine the distribution and use of Safe Streets funds in California, the ACIR field team conducted an analysis of approximately 20 percent of the Part C grants awarded by the OCJP in calendar year 1974. (Most of the grants in the sample were approved prior to extensive changes in the Safe Streets program made under the Brown administration.)

Table 8 shows the distribution of action grants by type of grantee. County governments, which have the bulk of criminal justice functional responsibilities and which account for about 44 percent of total criminal justice outlays in California, received 54.7 percent of all the grants in the sample and 52 percent of the funds. Cities and counties together received 86.1 percent of all the grants in the sample and 78.6 percent of the funds. State agencies received 12.4 percent of the grants and 20.5 percent of the funds. This pattern of distribution is consistent with the proportion of state and local criminal justice expenditures and meets the variable pass-through requirement that the state make available to local units of government at least 76.4 percent of the Part C block grant. Data from LEAA's Grants Management Information System (GMIS) confirm this expenditure pattern.

In spite of the amount of Part C funds passed through by the SPA to the local level, city and county officials were not satisfied with the state-local split. Table 9, developed from the ACIR local questionnaire responses from California, indicates that more than 61 percent of the respondents thought that the amount of pass-through funds was not equitable. All but one of these respondents thought that the amount going to localities should be increased.

City and county officials indicated, however, that they were more satisfied with the distribution of funds within their region. Table 10, also de-

Table 9

Views of California Local Officials on Whether the Amount of Funds Passed Through Is Equitable and Reflects a Balance Between State and Local Needs

October 1975

	Yes		No		No Response		Total	
	No.	%	No.	%	No.	%	No.	%
Municipal	32	25.6	77	61.6	16	12.8	125	100
County	11	33	20	60.6	2	6	33	100
TOTAL LOCAL	43	27.2	97	61.4	18	11.4	158	100

Source: ACIR 1975 Safe Streets survey.

veloped from the survey data, shows that almost half of the respondents thought that they had received a fair share of the funds allocated within their region. Survey responses indicated that, at the county level, satisfaction with funding was high—probably because of county domination of the criminal justice system in California. Fifteen of 19 responding regional officials believed that their region had received its fair share of the funds. These responses probably indicate that officials were much more satisfied when they had more control over or input into the allocation decisions.

Table 11 presents the major types of activities supported by grants in the sample. As in other states, California awarded the majority of its Part C block funds (81 percent) for service activities and only a small percentage for equipment, construction, personnel and training. Only eight percent of the funds was awarded for equipment projects, which accounted for 15 percent of the total number of grants in the sample. The majority of the equipment grants was awarded to projects for improvement of law enforcement radio communications.

The distribution of grants by functional component is presented in Table 12. California awarded the bulk of its Safe Streets funds (51 percent) to the police area—more than most other states. About 20 percent ($1,126,107) of this amount supported law enforcement information systems projects. Courts received 12 percent of the total funds, almost 75 percent of which supported information systems. According to the sample, corrections received only nine percent of the Part C funds, a surprisingly low figure because corrections activities received 28 percent of all criminal justice expenditures in California and the state is required to maintain a level of effort in its Part C awards to corrections in order to receive Part E funds. This result may reflect the randomness of the sample; data from OCJP reflect at least twice as much funding for correctional programs. Because the categories of primary activities are not mutually exclusive, it is possible that the relatively low per-

Table 10

Views of California Local Officials on Whether Their Jurisdiction Receives Its Fair Share of Safe Streets Part C Action Funds as Compared to/with Other Jurisdictions in Its Region

October 1975

Type of Respondent	Yes		No		No Response		Total	
	No.	%	No.	%	No.	%	No.	%
Municipal	47	37.6	64	51.2	14	11.2	125	100
County	24	72.7	8	24.2	1	3	33	100
TOTAL LOCAL	71	44.9	72	45.6	15	9.5	158	100

Source: ACIR 1975 Safe Streets survey.

Table 11

Primary Activities Supported With Safe Streets Funds

1974 Grant Sample

Primary Activity	Number of Grants	Percent of Grants	Amount of Funds	Percent of Funds	Amount of Average Grant
Equipment	21	15.3	$899,201	7.5	$42,819
Construction	1	.7	56,206	0.5	56,206
Services	101	73.7	9,722,780	81.1	96,265
Training	11	8.0	1,207,447	10.1	109,767
Personnel	3	2.2	99,106	0.8	33,035

Table 12

Safe Streets Funding by Criminal Justice Functional Component

1974 Grant Sample

Functional Area	Number of Grants	Percent	Amount of Funds	Percent
Police	65	47.4	$6,102,771	50.9
Combinations	12	8.8	779,906	6.5
Courts	15	13.2	1,443,049	12.1
Corrections	14	10.2	1,064,098	8.9
Juvenile Delinquency	22	16.1	1,353,621	11.3
Drugs and Alcohol	9	6.6	1,241,295	10.4

Table 13

Federal Fund Awards by Category Percentage of Dollar Amounts by Category

December 1974

	Proponents					Function					
Fiscal Year	Police	Courts	Corrections	Other	Total	Law Enforcement	Judicial	Corrections	Multi	Total	Research
Part C Funds	%	%	%	%	%	%	%	%	%	%	%
1969	60	0.7	13.3	26	100	62	2	22	14	100	4.2
1970	60	3	10	27	100	55	3	20	22	100	3.8
1971	48	3	8	41	100	37	5	38	20	100	1.2
1972	50	12	9	29	100	48	13	25	14	100	0.5
1973	53	6	14	27	100	59	6	23	12	100	0.9
1974	45	9	15	31	100	52	9	21	18	100	1.0
Part E Funds											
1971	21	—	48.7	30.3	100	—	—	100	—	—	3.1
1972	17.4	—	76.1	6.5	100	—	—	100	—	—	1.7
1973	23.6	—	70.6	5.8	100	—	—	100	—	—	—
1974	22	—	78	—	100	—	—	100	—	—	—

Source: Prepared by California Office of Criminal Justice Planning.

Table 14

Prior Attempts of Activity
1974 Grant Sample

Prior Attempts	Number of Grants	Percent	Amount of Funds	Percent
Never Attempted				
Anywhere	6	4.4	$ 774,976	6.5
In the state	25	18.2	3,329,814	27.8
In the locality	78	56.9	4,294,022	35.8
Has been attempted in the locality	28	20.4	3,585,928	29.9

centage allocation to corrections is offset by the fairly large proportions (11.3 and 10.4 percent) allocated to juvenile delinquency and drug and alcohol programs.

Table 13, prepared by the OCJP, lists Safe Streets expenditures in 1974 by proponent (one who implements the project) and function (the purposes of the project). This table reveals that police proponents have consistently received the bulk of Part C monies, as has the law enforcement function. Although measured in a slightly different manner, LEAA's Grants Management Information System data confirm the OCJP figures.

The field team also attempted to assess the extent to which Safe Streets funds supported innovative rather than routine activities. Each grant in the sample was classified by the extent to which the activity had been previously carried out in the locality and in the state, and if it had ever been attempted. The results of this breakdown, presented in Table 14, indicate that more than 70 percent of the funds was used to support activities that had not been attempted in the local jurisdiction prior to Safe Streets funding.

Grants in the sample also were categorized by degree of innovation as supporting new, expanded, updated or routine activities. As shown in Table 15, 67 percent of the grants and 59 percent of the funds were classified as new to the recipient. However, a significant percentage of the grants (22 percent) and of the funds (34 percent) supported expansion of existing activities. Based on this classification, it appears that, compared with the other states studied, California is less innovative in its use of Safe Streets funds. Almost 40 percent of the funds was used to support activities categorized as expansion, update or routine. However, California's criminal justice system is generally considered to be sophisticated and progressive and the ACIR data do not reflect comparisons with a national state-of-the-art in criminal justice.

Based on the grant sample results, California appears to have allocated greater percentages of its funds to local jurisdictions, service activities and

Table 15

Degree of Innovation
1974 Grant Sample

Degree of Innovation	Number of Grants	Percent	Amount of Funds	Percent
New	92	67.2	$7,036,922	58.7
Expansion	30	21.9	4,090,537	34.1
Update	11	8.0	614,365	5.1
Routine	4	2.9	242,916	2.0

police than most of the other case study states. In comparison with the other states in the study, California awards less money for projects that support innovative activities.

"Project Safer California"

On June 26, 1974, LEAA awarded the OCJP a $3.8 million discretionary grant to fund a two-year program to develop criminal justice standards and goals for California. The OCJP/CCCJ effort was entitled "Project Safer California: A Program to Develop Realistic Standards and Goals for California." The program—an attempt to produce standards and goals on a statewide basis covering the entire range of the six-volume report of the National Advisory Commission on Criminal Justice Standards and Goals—was the first of its kind in the nation.

The major activities of "Project Safer" involved 17 advisory committees composed of noted criminal justice practitioners, elected officials and private citizens appointed by the governor. The advisory committees conducted public meetings across the state, from July through October 1974, to consider the national commission's standards and goals, those promulgated by the American Bar Association and other relevant materials. On October 31, 1974, the advisory committees completed their reports, which were subsequently presented at a governor's conference in Sacramento in December 1974. Up to this point, "Project Safer" was a highly visible, media-oriented program as well as a review of standards and goals.

The designers of "Project Safer" planned to have the adopted standards and goals become the basis for regional conferences that would focus on local standards and goals setting. At the end of these conferences (by approximately October 1975) another governor's conference would be scheduled to review and refine standards and goals that had been adopted. The final report on "Project Safer" was due by June 1976.

According to many of those interviewed, enthusiasm for "Project Safer" was great at OCJP, particularly in the office of the executive director. The discretionary grant was responsible for part of the 1974 increase in OCJP staff which contributed, along with the desired high visibility of the program, to the creation of a new branch in the Standards and Evaluation Division of OCJP. Some interviewees said that during the six months following the award of the "Project Safer" grant, work at the OCJP concentrated on the standards and goals program, sometimes to the detriment of other activities. Some of this enthusiasm is reflected in the FY 1975 state plan, which was organized according to the major divisions of "Project Safer" (law enforcement, judicial process, corrections, citizen involvement and criminal justice systemwide programs) and, in greater detail, according to the major areas into which the 17 advisory committees were organized.

Many persons interviewed by the ACIR field team had been members of the advisory committees, which had a total membership of approximately 450. One interviewee commented, "Project Safer started out as a very good idea but ended up as a fiasco." Several persons described the committee meetings and the final conference as one long farewell party for the retiring governor. Many of the participants interviewed expressed embarrassment over their participation. The final conference at which the committee reports were presented was to be a lavish event, but it was poorly attended. Overall, "Project Safer" was a failure, and standards and goals will probably not be a major part of the state criminal justice effort in California in the future.

A "NEW SPIRIT" IN CALIFORNIA'S SAFE STREETS PROGRAM: JANUARY TO SEPTEMBER 1975

In November 1974, Californians elected Edmund G. Brown Jr. to succeed Ronald Reagan as governor. Although many law enforcement and criminal justice officials expected some changes under a new administration, Governor Brown's initiatives took almost everyone by surprise.

Safe Streets is not the only Federal program the governor has publicly questioned, but it was the first one. One interviewee familiar with the 1974 campaign said that Governor Brown and his staff encountered complaints about the Safe Streets program throughout the state—ranging from distress at the mounds of red tape involved in receiving funds to numerous "horror" stories concerning grant requests and awards for projects with only a peripheral relationship to crime reduction.

Other interviewees could only explain the governor's interest in the Safe Streets program by citing various events and activities that might have attracted his attention. Often named as a major culprit was "Project Safer California," since its advisory committee meetings were being held throughout the state in a highly visible manner during the same period that the gubernatorial campaign was underway. Due to its apparent low substance and high cost, "Project Safer" was particularly objectionable to Governor Brown and his staff. Some thought that the new governor became interested in the program as a result of newspaper accounts of the San Clemente Police Department's request for a grant of more than $100,000 for additional police manpower because of former President Nixon's residency in San Clemente.

Another line of opinion relates to the governor's rejection of the liberal assumption during the 1960's that a great infusion of Federal funds can solve any problem (e.g., a War on Crime). The Safe Streets program was selected to be the first Federal program scrutinized partly because its proponents had promised much but delivered little, as measured by changes in reported crime rates. Moreover, because the program was relatively small in terms of total funding and the jobs affected, the governor could publicly question and even dismantle the program without causing too much damage—all the while making his basic point about Federal grants.

The governor's staff began familiarizing itself with the Safe Streets program during the interim between the election and the inauguration, although no indications of potential changes were given. In January 1975, when the OCJP was about to fund several state agency projects, the governor's office placed a freeze on the award of all grants, pending assessment of the Safe Streets program. Some say that this freeze was initiated because the governor's staff realized that, at a minimum, state agency projects could be affected by their actions despite the decisions of the previous administration. Because of uncertainty concerning their ability to impact on the entire program and a desire to learn more about it, the governor's office froze the award of all grants.

A First Look at the Record

After exploring options for investigating the operations of the SPA, the governor assembled a study team consisting of four professors, headed by Dr. E. Kim Nelson, then dean of the School of Public Administration at the University of Southern California. Because of the chairman's schedule and the governor's desire for some immediate results, the study team was given less than two months in which to make an investigation and present recommendations.

A few weeks into the project, the study team decided that in order to completely understand the problems and accomplishments of the program it would have to manage the OCJP. On February 20, the governor replaced the OCJP executive director with Dr. Nelson as interim director and Dr. Carl Werthman, another member of the study team, was appointed special consultant to the OCJP.

During the same period, the governor's office suspended all activity on "Project Safer California," calling the effort a failure and an attempt by interest groups to usurp legislative and executive policy initiatives by setting forth their own standards and goals for criminal justice. All decisions concerning the future of "Project Safer" were delayed until final determination about the entire Safe Streets program could be made.

On February 27, 1975, Governor Brown met with the regional planning directors and chairmen to discuss the future of the Safe Streets program. Up to this point, the regional planning boards and and local subgrantees had had no direct communication with the Brown administration and knew only that all funds had been frozen. The first major interaction the governor had with the regions after initiating his review of the program was characterized by some as a near-confrontation.

Governor Brown challenged many of the basic tenets of the Safe Streets program, including the general use of Federal rather than local monies to solve local problems, the allocation of funds through separate planning structures, the need for expertise rather than the judgments of elected officials, and the concept that the program had finally gotten criminal justice officials to talk to one another.

On the same day, Assemblyman Alan Sieroty, chairman of the Assembly Committee on Criminal Justice, introduced Assembly Bill 960 to amend the sections of the California Penal Code dealing with the CCCJ, the OCJP and the regional planning boards. This legislation was sponsored by the Brown administration primarily in order to bring these sections into compliance with the Juvenile Delinquency Prevention and Control Act of 1974, which gave LEAA primary responsibility for administering Federal grants to prevent and control juvenile delinquency. Initiated as a routine amendment to existing legislation, A.B. 960 became one of the focal points of legislative and gubernatorial efforts to redefine the Safe Streets program.

Not long after the governor's meeting with the regional planning board directors and chairmen, the funds for local projects were released. The interim director, other members of the study team and the governor's staff reviewed each application before the contracts were signed. About ten percent of the proposals were rejected for funding, including a grant request from the San Clemente Police Department for $100,000 for additional police manpower[9]. The funds were released because: (1) some projects requesting continuation grants were almost out of funding and their existence and a considerable past investment were at stake; (2) the administration realized the approval of regional and state plans implied some basic state funding commitment; and (3) the review of pending applications revealed mostly acceptable projects. It is possible that the concern expressed by regional and local officials also influenced the governor to make the funds available.

A Second Look

264 On March 30, 1975, after two months of investigation, the study team presented its findings and recommendations to the governor. The detail and substance of this report were never made public. Three days later, the governor announced that another review of OCJP would be conducted, under the leadership of Gray Davis, the governor's executive secretary. Overall supervision of the OCJP was assigned to Davis. The day-to-day operations of the OCJP were to be conducted by Dr. Al M. Loeb, program budget manager of the Department of Finance, who was appointed interim director of the OCJP. The structure of the new review reflected the governor's growing reliance on the Department of Finance for management evaluations of state agencies. Loeb was charged with three major tasks: to identify alternative policies vis-a-vis the Safe Streets Act, to maintain the flexibility to opt for any alternative, and to examine OCJP operations in order to implement any economies or to increase management control.

At the press conference announcing the assignments of Davis and Loeb, Governor Brown called the Safe Streets program a "swamp" and said, "We are just trying to drain it to find all the alligators, and we haven't found them all yet." He characterized the Safe Streets program as another misguided effort in which the Federal government tried to get the states to do things they did not want to do by creating structures that end run regular governmental decision-making and funding processes. The governor threatened to return Safe Streets funds to the Federal government, an alternative proposed by the program's most ardent opponents.

Reaction to the Governor's Review

The LEAA regional office was taken as much by surprise by the actions of the new administration as any other group and were unprepared for Governor Brown's kind of questioning. Regular communication between the governor's office and the LEAA regional office was not established until almost two months after the inauguration, but the regional office appeared to be more than willing to meet with or assist the new administration. The regional office evidenced a desire to improve LEAA's relationship with the state. LEAA's central office in Washington, although concerned about the governor's actions, was supportive of the regional office's attitude and insisted that primary lines of communication between the state government and LEAA be established through the region.

California's influence in national affairs and its reputation in the criminal justice community appears to have affected LEAA's willingness to compromise on guidelines and requirements. Some interviewees thought that the LEAA central office could not force a confrontation with the governor because of the negative impact that California's withdrawal from the program might have on forthcoming reauthorization hearings in Congress. Although the politics of the Reagan administration was no longer a factor, the state still had considerable influence in Washington.

Even before Governor Brown said in an April 2, 1975 press conference that the Safe Streets program was "leaf raking for white collar workers," the employees at OCJP had begun to leave. That month, most of the contract employees were given notice and a job placement center was established at OCJP. With the reduced staff and low morale of those who remained, little activity was going on at the OCJP. OCJP staff members said that they had not been asked to contribute to the administration's decisions that had affected their jobs.

With the unofficial reduction in OCJP staff and the frequent delays in application review, regional and local officials became anxious about the immediate impact of the governor's non-action and feared that he might actually decide to end the program. However, on April 17, 1975, Davis announced that 59 projects representing five million dollars in grants were being released by the OCJP. The next day, the County Supervisors Association of California approved a resolution calling for the continuation of the program, encouraging greater regional control over the program, uninterrupted funding of continuation projects and the commitment of FY 1973 funds to avoid reversion. The Regional Planning Directors' Association had already officially complained to the LEAA regional office that the OCJP was in violation of the 1973 amendments to the Safe Streets Act that required all subgrant applications to be processed and notification of final decisions to be given within 90 days of the date of submission.

The Continuing Search for a Program

With pressures to make some basic decisions concerning the program mounting, the governor's staff began to consider a proposal to use all Safe Streets funds to support youth employment projects. According to some regional and local officials, the governor's office contacted community groups and manpower program sponsors throughout the state, asking if there was interest in operating a youth employment program and promising support for these activities. However, a youth employment program on the scale originally conceived was not implemented as a result of several factors: (1) limitations on the use of all Safe Streets funds for one program; (2) public concern about providing jobs for "bad" kids when law-abiding adults were out of work; and (3) protests from localities and regions that such a disposition of funds would preempt the funding commitments of previously adopted regional and state plans. In addition, this more traditionally liberal proposal was not consistent with the governor's stated assessment of the past results of the Safe Streets program in California, as "hardware for the conservatives and software for the liberals."

Loeb and a Department of Finance team began to find evidence of mismanagement of Safe Streets funds under the previous administration. According to several interviewees familiar with the Department of Finance review, OCJP documentation of financial transactions was inadequate and it appeared that the previous executive director had kept "all the books in his head." The team suspected the legality of Part C grants awarded to the OCJP by the OCJP and the apparent manipulation of funding years to increase the amount of money available to implement the FY 1975 plan.

Early in June, Gray Davis proposed replacing the OCJP with a ten-person audit staff within the Department of Finance. He called for the abolition of the OCJP because there was, in his words, "no proof that the state office, despite its maze of planning, justifies the enormous public expenditure or the incredible bureaucratic delay caused by its involvement in the crime prevention program." He also recommended that the governor end the Safe Streets program if crime were not reduced within one year. Davis placed "full responsibility" for the results and operations of the program during the trial year at the local level. In fact, under Davis' proposal, the governor would have had more policy control over the program than ever before. The CCCJ, statutorily required to set policy for the Safe Streets program, had not met since the inauguration.

The OCJP submitted the FY 1976 planning grant application to the LEAA regional office on May 30. The 1976 state plan was an improved but not necessarily updated version of the FY 1975 planning grant application submitted by the previous administration. Because of its involvement in the 90-day rule issue and communications with the governor on the interpretation of the Safe Streets Act for other matters, the regional office was well aware that the document did not reflect any of the events that had transpired since Governor Brown had taken office. While pressing for minimum compliance with Safe Streets requirements, such as appointment of a permanent SPA director, the regional office worked out an agreement that the new administration would submit a planning grant application reflecting the new administration's policies by the end of August and the regional office would approve the request for a planning grant advance.

Until the CCCJ met, official policy concerning the direction of the Safe Streets program could not be made. Therefore, the governor began to replace CCCJ members whom he could appoint with persons who shared his perspective. On June 11, 1975, the governor announced that the attorney general had resigned as chairman of the CCCJ so that he could make his own selection. The governor then appointed Gray Davis to a vacancy on the CCCJ and designated him chairman of the group. Drs. Nelson and Werthman were also appointed. The first CCCJ meeting in 1975 was held on June 20. Although legislative appointments remained at 11 and several of Governor Reagan's appointees had not been replaced, many interviewees thought that the governor and his staff had gained complete control over the CCCJ. The council approved three applications for youth employment programs, totaling more than $1,000,000, at its second meeting.

Regional and local officials were beginning to think that the continuation of regional planning boards and local projects was in jeopardy. The governor's direct contact with community groups over the youth employment program had already violated the prerogatives of the regional planning boards and the award of grants to youth employment programs threatened the level of funding available for regional plans. Regional and local officials had heard that the governor's office maintained a list of projects that it was not going to approve in order to make more money available for priority programs. Rumors about this list caused the city manager of Inglewood, the chairman of Region R's board, and the Los Angeles city attorney to begin actions needed to file suit on behalf of 65 cities and 266 counties to require the governor to honor the 1975 state and regional plans. Several interviewees said that the threat of suit convinced the governor's office to discontinue the list.

During this period, many regional planning boards gave notice to their employees because of the uncertainty about future funding. A grant request for funding of the regional planning board directors' and chairmen's association was rejected by the governor as an improper use of Safe Streets monies. According to some of those interviewed, the costs of carrying the operations of the regional planning boards and, more importantly, many projects, was reaching staggering proportions. One of the greatest losses as a result of the governor's freeze was the large number of regional planning board and project staff who sought employment elsewhere, taking a great deal of experience with them. The cumulative anxiety of this six-month period also took its toll on the willingness of the regions and localities to continue to fight for what they wanted. One interviewee characterized the projects and regional planning boards by saying "morale is down and cynicism is up."

The CCCJ Takes Action

On July 16, 1975, the CCCJ approved its planning guidelines for the development of the FY 1976 plan and issued a model regional plan. The 1976 planning guidelines, a list of eight policy statements, are presented below.

1. The primary purpose of California's efforts under the federal Crime Control Act during the 1976 fiscal period is the control and prevention of crime. Available resources should be used in programs which will help to prevent and reduce crime by directly affecting offenders, victims and opportunities for illegal acts; and special attention should be given to reducing and preventing juvenile delinquency.

2. Although the people of California properly look to the Governor, the Legislature, this Council, the Attorney General and other officials of the State to provide leadership in efforts to control crime, Congress has recognized that crime is essentially a local problem. People at the local level are best able to make the detailed project-level decisions about how to deal with crime, subject to the applicable State and federal laws.

3. Subject to guidelines established by the CCCJ for the distribution of LEAA funds, each regional planning unit shall prepare a regional plan which will be written evidence of its efforts to think ahead about reduction and prevention of crime and delinquency. In each regional plan, problems of crime shall be described briefly in order of local importance, ideas for solutions to those problems at the local level shall be stated and programs which represent attempts to carry out those ideas shall be listed.

4. Deliberations and decisions of regions shall take place in open meetings, reasonable notice of which shall be given to the public consistent with State and federal law. Only members of region boards, rather than their aides or representatives, shall cast votes.

5. Each regional plan shall be approved by the regional planning board and submitted no later than August 30, 1975, to the CCCJ for approval in a form suitable for incorporation into the State plan.

6. Each regional board shall require full compliance with civil rights and employment opportunity provisions of LEAA Guidelines and other applicable federal and State regulations and orders.

7. State governmental agencies will submit applications for LEAA money in

compliance with procedures developed by the Department of Finance. Private Agencies having local unit of government sponsorship are eligible to apply to a region for funding from that region's allocation. Private Agencies not having local unit of government sponsorship can apply to CCCJ through the Office of Criminal Justice Planning for direct funding from the State/private agency allocation.

8. Action grant funds will be distributed to the regions primarily on a population basis, provided that no region will receive less than $100,000 for such funds. Each region will show clearly in its regional plan the intended expenditure of LEAA funds in the program areas selected. No Part C funds may be used for construction projects, nor may Part C funds be used for regional staff support.

The FY 1976 guidelines represented a real departure from previous policies. The most important change concerned the types of programs the CCCJ would consider funding. Except for efforts at crime-specific planning and offender rehabilitation, the previous CCCJ had not supported projects directed at the root causes of crime. The new policy expressly rejected system improvement projects unless a correlation to crime control and prevention could be established. As stated in paragraph one, Safe Streets funds would be used for programs "directly affecting offenders, victims, and opportunities for illegal acts." Although some observers thought that applicants with system improvement programs would only rewrite their grant applications to conform to the new policy, in fact, most applicants were very aware of the need to try to reduce crime in light of the governor's challenge to the program. Several interviewees noted that a strict interpretation of this policy would effectively prohibit the funding of adjudication projects.

The FY 1976 planning guidelines directed the state agencies and regions not to "plan" but instead to "think ahead about the reduction and prevention of crime." Although many interviewees considered this distinction to be a play on words, several CCCJ members said that it was intended to move the CCCJ and the regions away from the project planning mode into a real problem-solving exercise. Because the term planning was associated with every function, level of government and geographic area getting a share of the Safe streets "pie," the Brown administration and the CCCJ were determined to use every available method to change California's approach.

The CCCJ's prohibition of proxy voting at regional planning board meetings was an attempt to increase the level of participation of all board members—especially elected officials and agency chief executives. The CCCJ said that the purpose of the 1973 amendments to the Safe Streets Act requiring majority representation of local elected officials on regional boards was to actively include the representatives of the people and to avoid "short cutting" the regular processes of government. Although the bylaws of some regional planning boards already prohibited proxy voting, many interviewees considered this policy unwarranted interference by the state and a potential threat to their ability to conduct regional business.

Policy seven had a significant impact on state agency grants, which previously did not have to go through regular Department of Finance procedures for Federal grants. New procedures for the submission and review of state agency requests had to be established because the governor had suspended activities of the PSPC. Soon after the guidelines were approved, the Department of Finance issued new regulations governing applications for Safe Streets funds, under which the department occupied a position between the applicant agencies and the OCJP. Some interviewees said Department of Finance involvement was partly a reaction to the confusion of the 1974-1975 planning process, in which the CCCJ approved more than $26 million in state-level programs when less than $11 million was actually available. The FY 1976 planning process required that state agencies submit to the Department of Finance a letter of intent to apply for funds, including a brief description of the project and the crime problem to which it was addressed. State agencies were required to find the match for their projects themselves rather than relying on the lump sum appropriated to the OCJP for this purpose in the past. This policy increased the governor's control over state agency grants because the request for state match was tied directly to the executive budget process.

The FY 1976 planning guidelines necessitated the adoption of a simplified formula for distribution of Part C funds among the regions, based on population. This change was made to reduce regional uncertainty about allocation for the following year. The

CCCJ also determined that no part C funds could be used to support construction grants or regional staffing. The ban on Part C staffing support was a significant change given the large amount of Part C funds ($1,370,387 in FY 1975) previously used for regional staffing. Part B money released by reducing state planning costs was made available for redistribution as regional planning grants.

The model regional plan was to be followed by all regional planning boards in preparing for FY 1976 regional plans to be submitted to the OCJP on August 30, 1975. The first page of each regional plan was to consist of a short description of the region's crime problems, the priorities that would be addressed, the amount of improvement expected and the distribution of available resources to solutions of the priority problems. The second page was to be a matrix showing the crime problems, programs for solving each problem, program descriptor numbers, and the amount of federal, state and local funds allocated to each. The theory behind a short regional plan was that a crime reduction approach did not require elaborate priorities, that extensive descriptions are but grantsmanship verbiage and that thinking ahead would discourage the submission of grant applications as part of regional plans. Although many regions welcomed this change, some, already well into their planning process by this time, intended to submit their original plans.

At this time the OCJP intended to submit an FY 1976 state plan consisting of all regional plans and state agency letters of intent stapled together, with the required forms and assurances. The governor's office and the CCCJ contended that if they followed LEAA's guidelines, they could not get away from a project plan that was just a ticket to the Federal

Table 16

Regional Rate of Overhead-California
FY 1976

Region	Population	Percent of State Population	Part C & F Combined with Regional Office Receiving $100,000	Planning Funds	Overhead Rate
A	199,850	.9503	414,378	109,585	.26
B	189,825	.9026	393,602	114,865	.29
C	161,500	.7679	334,847	105, 720	.31
D	1,071,410	5.0946	2,221,488	288,615	.13
E	731,500	3.4783	1,516,693	180,784	.12
F	671,100	3.1911	1,391,474	281,654	.20
G	587,200	2.7922	1,217,518	197,426	.16
H	573,900	2.7289	1,189,948	166,628	.14
I	1,089,500	5.1806	2,258,989	350,930	.15
J	1,193,400	5.6747	2,474,408	267,429	.11
K	641,750	3.0516	1,330,628	144,116	.11
L	57,160	.2718	118,512	70,581	.59
M	429,900	2.0442	891,388	157,399	.18
N	1,100,450	5.2327	2,281,724	250,166	.11
O	24,300	.1155	100,000	72,045	.72
P	410,900	1.9539	851,970	142,075	.17
Q	432,400	2.0591	890,571	159,660	.18
R	6,929,600	32.9505	14,368,047	1,109,867	.075
S	1,308,600	6.2225	2,713,434	236,803	.09
T	1,684,500	8.0098	3,492,708	252,816	.07
U	1,541,500	7.3298	3,196,191	214,422	.07
TOTALS	21,030,245	100			
Subtotal			$43,654,518	$4,899,152	.11
State/Private Agency Funds			$12,430,482		
TOTAL			$56,085,000		

Note: Part C is based upon regions receiving at least 76.4 percent of funds, per Section 303 of Public Law 93-83. Part E is based on a 90-10 ratio of local to state and private agency funding.

Action funds reflect target allocations approved by the CCCJ for the period July 1, 1975 through Sept. 30, 1976 (the new Federal fiscal year). Planning funds are 125 percent of allocations for the period July 1, 1975 through June 30, 1976.

Source: California Office of Criminal Justice Planning, 1975.

dollars. While negotiations with LEAA were continuing, the regional administrator took the position that 21 regional plans and state agency letters of intent stapled together would not be an acceptable comprehensive plan.

The Brown administration, which did not believe in elaborate formal planning, investigated the overhead rate for planning operations needed to deliver Safe Streets action dollars. Because regional activity was confined to the delivery of Safe Streets funds, the only measure of the effectiveness of regional planning boards was the amount of planning funds required to deliver each action dollar. Table 16 presents the figures used by the governor's staff to determine the regional overhead rates in FY 1976. The overhead rate has an inverse correlation with a region's population. The administration interpreted the Safe Streets Part B appropriations to mean that Congress intended action funds to be delivered for eight cents on each action dollar. Using the national rate as a standard, the governor's office announced its intention to reduce the overhead rate throughout the state to eight percent. The same standard was applied to state-level programs.

Brown contended that the LEAA has promulgated program guidelines without considering what could or should be accomplished within the amount of planning funds appropriated by Congress. The governor's administration, after reviewing both the LEAA guidelines and the amount of Part B funds, concluded that some services required by the guidelines could not be provided under the Part B budget.

The Legislature Takes a Stand

Legislative interest in the Safe Streets program in California intensified during midsummer 1975. Assemblymen Maddy and Nestande, minority members of the Assembly Committee on Criminal Justice, asked the legislative analyst to review the governor's proposals regarding the Safe Streets program and the legislative counsel to examine the legislative implications of the governor's proposals. On August 15, the Office of the Legislative Analyst issued its report, which contained 14 recommendations, summarized below.

1. The State Planning Agency should be responsible for the management of State and federal funds and enforcement of federal civil rights, security and privacy, procurement and other specified regulations.
2. The first priority of OCJP under the direction of the CCCJ should be the development of a more meaningful comprehensive plan.
3. The CCCJ should delegate to the Regional Planning Boards the authority to review, approve, monitor and evaluate individual projects and budgets.
4. OCJP should develop program evaluation standards and model performance criteria and require evaluation or a summary of program accomplishments from every subgrant.
5. OCJP should compile and publish annually a reference document which contains a synopsis of each project, an evaluation of the results of groups of related projects and a brief description of how these groups relate to the CCCJ goals and objectives.
6. OCJP should maintain a staff of 46 in order to handle the matters recommended in the report.
7. The budgets, staffing, salary levels, and operations of the regions should be studied by the Department of Finance, OCJP and the Regional Directors Association and the CCCJ should adopt formal procedures concerning regional planning grant applications.
8. The CCCJ should request that all local governments waive their right to Part B funds in order to reduce the disfunction and inefficiency caused by such grants under a regional concept.
9. The Regional Director's Association grant should be refunded through FY 1976.
10. The Director of OCJP should meet periodically with regional directors and OCJP should develop procedures to keep the regions informed of criminal justice developments.
11. The administration should appoint a permanent OCJP director as soon as possible.
12. The FY 1976 Planning Grant Application should be revised as soon as possible to avoid withdrawal of federal support.

13. Legislation should be enacted authorizing the Governor, with CCCJ approval, to reduce or increase the number or revise the configuration of the regions and limit the size and composition or regional boards.
14. The administration and the CCCJ should encourage the utilization of a joint powers agreement as the legal instrument for formation of all regions.

Reporting about the same time, the legislative counsel said that the proposed reduction of the OCJP to a 10-person audit staff in the Department of Finance would probably not meet the requirements of the Safe Streets Act and that adoption of such a proposal would jeopardize the state's eligibility for funds. The legislative counsel also indicated that reduction and transfer of the OCJP staff by 270 executive order would have to be accomplished in accordance with state law relating to reorganization.

On August 27, 1975, Assemblymen Maddy and Nestande presented the reports to the governor and urged him to consider the recommendations of the legislative analyst and warned of possible loss of Federal funds.

Sporadic activity on A.B. 960 had occurred since its introduction in February. By August, as the legislature was nearing the end of its session, interest had intensified. The contents of the bill's amendments had gone from a routine update to bring the state into compliance with the Juvenile Delinquency Prevention and Control Act of 1974 to an overhaul of the sections concerning the regional planning boards. Brown's administration was sponsoring several amendments that would enhance state control over regional boundaries and board composition. The regions, although displeased with these attempts to circumvent their authority, were unable to effectively oppose this legislation. Assemblymen Maddy and Nastande's support of the recently issued report of the legislative analyst contributed to the passage of A.B. 960, as amended, on August 28, 1975. Governor Brown signed this legislation on September 30, 1975.

The final version of A.B. 960 included three basic changes in Sections 13800-13906 of the California Penal Code other than those called for by the Juvenile Delinquency Prevention and Control Act of 1974.

- The size of the CCCJ was expanded to 29 members and the prescribed appointments by the governor, the Senate Rules Committee and the speaker of the assembly were slightly changed, including the required appointment of a member of the Senate Judiciary Committee and a member of the Assembly Committee on Criminal Justice.
- The CCCJ, in consultation with the regions, was given the power (with a two-thirds majority of the CCCJ) to regulate the existence and boundaries of the regional planning boards. The governor's office offered this amendment, which complies with the legislative analysts' recommendations, to give the state means to insure efficient use of Part B funds by regional boards, and to make sure that the boards do not circumvent traditional governmental institutions and are not dominated by any one group.
- The CCCJ must certify the membership of the regional boards annually. Each board must be made up of 21 to 30 members, a majority of whom are to be elected officials. Each regional board must be a representative of a broad range of community interests and include racial, sexual, age, economic and geographic composition

A Commitment to Continuation

After committing himself to continue the Safe Streets program for at least one year, the governor took actions to insure compliance with Federal requirements. On August 30, 1975, Governor Brown appointed Douglas R. Cunningham to be executive director of the OCJP. Cunningham, a member of the governor's staff, had worked closely with Gray Davis on formulation of the administration's Safe Streets policy. The governor accepted the legislative analyst's recommendation to maintain an OCJP staff of 46. (On August 20, 1975, the OCJP staff numbered 52, a reduction from more than 200 in January.)

On September 1, 1975, the OCJP submitted the revised planning grant application to LEAA. The next hurdle to be overcome was the submission of an FY 1976 comprehensive plan acceptable to both the governor and the LEAA regional office.

EPILOGUE

No resolution of the issues and potential conflicts in the California Safe Streets program under the Brown administration was in sight at the time of the field research. Because of the significance of these questions to the Congressional evaluation of Safe Streets activities, a follow-up field trip was made on February 12 and 13, 1976. Because of time constraints, ACIR limited its interviews to the SPA and the LEAA regional office.

This epilogue will concentrate on three major aspects of the Safe Streets experience in California since September 1975: (1) the administration of the program, which marks a drastic change from a state-dominated control to a decentralized system that keeps within the state's Part B allocation; (2) the events and results of the FY 1976 planning process, designed to simplify planning and control crime, including the state's interaction with LEAA concerning the 1976 state plan; and (3) the emerging philosophy of the Brown administration concerning the type of program envisioned, the model to be used to implement it and the implications of the California philosophy for the entire Safe Streets program.

The Administration of the Safe Streets Program

The Brown administration determined that the costs involved in administering the Safe Streets program in California should not exceed the Part B funds appropriated by the Congress. Since a considerable portion of SPA and RPU planning budgets had come from Part C funds, a severe cutback in funding of state and regional planning efforts was necessary. The governor's policy of delegating Safe Streets decision-making to regional and local levels obviated the need for large planning expenditures for the SPA. After considerable study by both the administration and the legislative analyst, in consultation with LEAA, the governor's office determined a minimum level of state responsibility. In response to the report of the legislative analyst, the administration agreed that the SPA was required at a minimum to perform the following 11 functions:

1) preparation of the annual state plan;
2) fiscal management;
3) auditing;
4) ensuring the processing of grant applications within the 90-day statutory period;
5) property control;
6) civil rights compliance;
7) enforcement of security and privacy regulations;
8) enforcement of procurement standards;
9) monitoring the performance of the 21 planning regions;
10) providing technical assistance to the planning regions and specific criminal justice agencies within the regions;
11) disseminating information on a periodic basis to the criminal justice community relative to the results of projects that show promise for replication in other communities.

The legislative analyst had recommended that the 271
SPA maintain a staff of at least 46 persons in order to perform the functions required by the Safe Streets Act. For FY 1976, the OCJP has a staffing level of 46.6 man-years, including about eight man-years under the standards and goals effort that will end in June 1976. Auditing is performed for the OCJP by 10 auditors from the Department of Finance; the Department of Justice ensures security and privacy compliance; the General Services Administration provides all grant property control; all juvenile justice planning is conducted by five persons in the Department of Youth Authority. The OCJP plans to contract for completion of all civil rights compliance responsibilities with the California Office of Fair Employment Practices. In FY 1977, the total number of persons performing SPA functions will slightly exceed the number recommended by the legislative analyst.

The reduced force of the OCJP was reorganized into operations and administration divisions. The Operations Division replaced the Planning and Program, Standards and Evaluation, and Research and Technical Assistance Divisions of the previous organization. The division prepares the annual state plan, assists the state agency and private agency applicants, and recommends plans and policies for criminal justice manpower development. The Administration Division existed prior to the reorganization and performs the following functions: council liaison, personnel administration, accounting, budgeting, business services, grant processing and fiscal monitoring. For the 1976-1977 fiscal year, the Operations Division will use 14 man-years of staff time; the Administration Division will operate with 24 man-years. (The three divisions superceded by the Operations Division utilized 135.7 man-years during the 1974-1975 fiscal year, and the Administration Division accounted for 58.4 man-years during the same period.)

In his review of the governor's budget, the legislative analyst concluded that, "improved organization and workload management procedures would increase staff productivity and enhance the overall program efficiency of OCJP."[10] A lack of clear organizational framework and a discrepancy between existing staff competencies and new OCJP needs are problems that the SPA must remedy before it can function with maximum effectiveness.

Part B funds no longer allocated to the SPA replaced Part C funds used for planning support of the regional planning boards. The administration reduced the level of Part C funding of planning activities to $191,045 for FY 1976. Table 17 presents the allocation of funds to the regions after Part B funds were made available by the state to these units. During FY 1977, all resources for the regions will come from the Part B allocation, representing an overall reduction in regional resources of approximately $400,000.

The SPA rejected the legislative analyst's recommendation to continue funding of the California Criminal Justice Regional Planning Directors Association in order to facilitate transfer of responsibilities between the state and the regions. However, the OCJP hired a former employee of the association to act as liaison with the regional directors. Although

Table 17

Possible Local Planning Fund Allocations 1975-1976 Part B and 1974-1975 Part C

	Part B Funds*			Part C Funds	
Region	Original Award	Replaced Part B From C	Total	Adjusted Total	Total Part B and C Funds
A	87,668	0	87,668	0	87,668
B	91,892	0	91,892	0	91,892
C	84,576	0	84,576	0	84,576
D	105,923	104,262	210,185	20,707	230,892
E	89,000	46,410	135,410	9,217	144,627
F	92,254	111,019	203,273	22,050	225,323
G	83,926	61,750	145,676	12,265	157,941
H	83,351	41,673	125,024	8,278	133,302
I	111,252	141,410	252,662	28,086	280,748
J	111,315	85,622	196,937	17,006	213,943
K	86,245	23,855	110,101	4,739	114,840
L	56,465	0	56,465	0	56,465
M	75,461	42,096	117,557	8,362	125,919
N	108,734	76,253	184,987	15,146	200,133
O	57,636	0	57,636	0	57,636
P	74,186	32,932	107,118	6,542	113,660
Q	75,179	39,036	114,215	7,754	121,969
R	95,167	460,242	555,409	0	555,409
S	98,578	59,113	157,691	11,742	169,433
T	132,017	58,597	190,614	11,639	202,253
U	126,238	37,818	164,056	7,512	171,568
City of Los Angeles	254,918	0	254,918	0	254,918
County of Los Angeles	111,941	0	111,941	0	111,941
City of Long Beach	20,451	0	20,451	0	20,451
County of San Bernardino	20,000	0	20,000	0	20,000
TOTAL	$2,334,374	$1,422,088	$3,756,462	$191,045	$3,947,507

*All Part B funds allocated to regional planning units are 100 percent Federal funds, without state or local match.

Source: California Council on Criminal Justice.

the OCJP has made a concerted effort to let the regions determine the form of future budget cuts, the lack of delineation of state and regional responsibilities has caused the regional directors to defer such determinations. The chairman of the CCCJ has appointed a committee to study and make recommendations to the full CCCJ on the budgets, staffing, salary levels and operations of all the regions and on CCCJ procedures for review and award of regional planning grant applications.

FY 1976 Plan Development

After the appointment of an executive director and the submission of a revised planning grant application to LEAA in early September, the OCJP began the task of developing the annual state plan for submission to LEAA by September 30, 1975. Regional advisory boards had complied with the CCCJ planning guidelines by submitting regional plans by August 30. With the assistance of other state agencies and several regional planning boards, OCJP staff members began preparing the FY 1976 plan by reviewing all regional plans in light of the guidelines, an analysis of crime data and an assessment of the availability of resources. Because state agency proposals had to be reviewed by the Department of Finance before being incorporated by the CCCJ into the state agency plan, the one-month planning period did not permit time to prepare the state-level program for inclusion in the annual plan. The OCJP submitted the FY 1976 plan to the LEAA regional office on September 30, 1975, without CCCJ approval.

The plan consisted of about sixty pages of text and more than 200 pages of appendices, including all 21 regional plans. The contents of the main text were divided into seven sections: Introduction, State Redirection, The Statistical Picture of Crime in California, Statewide Priorities, Programs, Measurement of Results, and Technical Assistance. Appendix material provided the required assurances of compliance with the technical requirements of LEAA guidelines (Manual M4100.1D). But the plan did not meet the letter of LEAA guidelines and lacked a specifically required multiyear budget and financial plan. The plan said that enforcement of LEAA's guidelines should be sufficiently flexible to accommodate the major shift in emphasis in the California program and argued that the state plan met the spirit of the Federal legislation.

The state plan incorporated regional plans under four broad program areas: Crime Prevention and Control, Juvenile Delinquency Reduction and Prevention, System Improvement for the Prevention of Crime, and Manpower Development. The plan included system improvement projects that could have direct impact on the incidence and consequences of crime. Objectives for the system improvement program are geared toward activities directly linked to crime control, such as communications systems, and included past projects that the CCCJ did not want to lose. The manpower development program concentrated on training and educational activities that have a direct impact on crime control and other organizational problems.

A review of the regional plans revealed that all regional projects were directed toward the CCCJ's goal of crime control. Only a few regional planning boards requested support of system improvement programs. The plan also complied with the format of the model regional plan—15 of the 21 regional plans were seven pages or less in length. The OCJP recommended CCCJ approval of 17 of the plans and partial approval of the remaining four.

At the same time the California plan was submitted to the LEAA regional office, it was transmitted to the governor and the CCCJ so that it could be reviewed before the October 8, 1975 meeting of the CCCJ. The governor and the CCCJ did not think that the plan adequately met the criteria established by the Brown administration. The governor was particularly displeased with the length of the plan and the "gobbledegook" in it. At the October 8, 1975 meeting of the CCCJ, 17 of the regional plans were totally approved and four others received partial approval, in accordance with OCJP recommendations. The review of the state plan was deferred until the next meeting so that the OCJP staff could revise it according to the governor's instructions.

A revised FY 1976 plan was submitted to the governor and the CCCJ. The document consisted of three and one-half pages (see Appendix 3, p. 000), with appendices. The governor was satisfied with the revised version and the CCCJ approved the entire document, including the state plan and appendices.

During the months preceding the submission of the plan, the LEAA regional office and the executive director of the OCJP communicated regularly, which—with the strong desire of both groups to improve the Safe Streets program in California—undoubtedly contributed to the continuation of the program in the state.

On December 31, 1975, the LEAA regional office approved the revised state plan on condition that the grantee comply with 14 special conditions (see Appendix 4, p. 000)—11 of them being requirements contained in LEAA's Guideline Manual 4100.1D—to be met by March 1, 1976. The other three conditions were preparation of a juvenile justice plan, submission of a final printed version of the state plan and a general qualification regarding possible changes in the amount of award resulting from Congressional appropriations. At the time of the second field trip, the OCJP had not yet initiated a major effort to show compliance with these special conditions.

It appears that the OCJP and the CCCJ do not intend to comply completely with the LEAA guidelines and that a confrontation about the degree of compliance will occur. By giving conditional approval, the LEAA regional office appears to have 274 exercised all the flexibility that it could and still ensure compliance with the letter of the Crime Control Act of 1973.

Even though the CCCJ had approved the regional plans, it conducted a review of individual projects to be funded after LEAA conditional approval of the state plan. Three committees, each formulated on a geographic basis and consisting of three CCCJ members, were assigned by the chairman to review the short project proposals of the 21 regional planning boards. This review process was initiated because the Brown administration interpreted California legislation to require the CCCJ to approve all projects on an individual basis. A refinement of the individual project review is expected before the next fiscal year.

The Evolution of a Planning Philosophy

The Brown administration continued California's participation in the Safe Streets program with the intention of focusing on crime control rather than system improvement, containing the overhead rate to the level of Congressional Part B appropriation, and basing the direction for the program at the local level. The administration decided that the spirit of the Safe Streets Act was to set into motion, through Federal funds, a process that would affect all expenditures for and decisions about criminal justice. Unless this impact can be achieved, the administration believed, the relatively small amount of Safe Streets funds is not worth the effort required to obtain them. The Brown administration determined that it could not comply with LEAA guidelines and accomplish its own goals for the program at the same time. By articulating concern over this conflict, the Brown administration developed a clearer conception of its own planning philosophy for the Safe Streets program.

The Brown administration's planning philosophy is based on the concept of what it calls a political decision-making model. This kind of decision-making process involves the participation of government officials and the citizens to whom they are accountable. No clear hierarchy can emerge under this process, and the sophistication of the decision-makers is naturally limited. The resources available to develop the information used in political decision-making are not allocated by the decision-makers but by Congress, as under the Safe Streets program. The decisions made concern problems that the private sector and the citizens have been unable to solve. Because no single criterion for measuring the results of governmental activity exists, planning and evaluation inputs other than hard data are not only valuable but necessary.

The Brown administration thinks that compliance with LEAA's guidelines would result in a corporate decision-making approach, in which a single expert or group of experts controls the entire decision-making process—including expense and extent of information gathering. The administration charges that LEAA guidelines ignore the reality of the political decision-making environment of the Safe Streets program—for example, the systems-oriented planning process and the extensive data requirements outlined in the FY 1977 guidelines. The OCJP executive director said that LEAA mistakenly assumed that members of regional planning boards could digest the volumes of data that would be generated under the guidelines and would only use that information as the basis for their decisions. The governor contends that local participation and a problem-solving orientation are what Congress intended for the Safe Streets program by requiring broad-based representation on both state and local planning units and by promoting innovative solutions to the crime problem. With this line of reasoning, the Brown administration rejected the FY 19 LEAA guidelines as unreasonable and contrary to the intent of Congress.

The Brown administration observes that adoption of the political decision-making process in California has produced several encouraging results: 1) When local officials became accountable to the citizens instead of to SPA bureaucrats, they began to participate on the regional boards, observing the CCCJ's prohibition of proxy voting. "Pie-cutting" stopped and hard decisions about how to control crime were made. 2) The redirection of all Safe Streets decision-making toward crime control has resulted in a problem-response planning posture, an approach that demands accountability and requires a variety of inputs. 3) The necessity of varied sources of information for decision-making has enabled the SPA and its regions to avoid the high costs of data development and thus keep expenditures with the Part B appropriation. Overall, the administration thinks that the new direction of regional programs and the increased participation by principals on regional boards are successful steps toward controlling crime through impacting on all governmental decisions about crime control.

If the California SPA does not in any way comply with the FY 1977 planning guidelines, a confrontation with LEAA over the substance of the guidelines will probably ensue. Such a confrontation would test two principles upon which the Safe Streets program has been based.

- The systems approach to planning, currently espoused by LEAA and to some degree present in the Safe Streets Act and its amendments, will be challenged as an unreasonable approach to solving the problems of crime.
- LEAA guidelines, developed on Congressional and Federal conceptions of viable planning activity rather than on what the states can accomplish within the limits of planning appropriations, will be contested.

Summary

The California SPA has been reconstituted, with a defined function and a specific staff complement, but it has not yet operated with maximum effectiveness. The regional planning boards and the SPA operate almost within the Part B allocation, but the final delineation of responsibilities of the two groups has yet to be determined. The regional boards appear to have embraced the goal of crime control and increased local participation, but a high degree of anxiety and cynicism about the program persists at the regional level. Although the SPA has made important strides, the program's trial period is not yet over and the governor must still make a final evaluation of the program. Although the SPA submitted a state plan for FY 1976, which has received conditional approval from LEAA, a final confrontation with LEAA could occur over compliance with the FY 1976 special conditions or with the FY 1977 planning guidelines. Thus, the important question remains: can a Safe Streets program for California be formulated that will meet the governor's demands and satisfy both Congressional and LEAA requirements?

ISSUES AND CONCLUSIONS

Prior to the field work for this case study, Governor Brown's questioning of the Safe Streets program in his state had shaken the criminal justice community nationwide. At the same time, political commentary concerning the new governor began to fill editorial pages and a poll indicated that 86 percent of the Californians interviewed supported Governor Brown's policies. Although the issues surrounding the Safe Streets program in California are related to the governor's own philosophy of government and the nature of the state's political system, many of them may have broader implications—for the Safe Streets program and for the Federal grants process.

Issue 1:
Crime Control v. System Improvement

One of the continuing themes of the Brown administration is that the government should not raise citizens' expectations about results that it cannot deliver. The Federal government promised to reduce crime with the Safe Streets program, but it did not succeed. Governor Brown noted that after the expenditure of more than $190 million of Safe Streets funds in California, the state's crime rate was still rising. Although Congress broadened the objectives of the Safe Streets program to include improvement of the criminal justice system, the California governor maintains that crime control is still the raison d'etre of the Safe Streets program and that system improvement is too far removed from crime control to be valid. In his opinion, citizens are most concerned with crime control and any attempt to justify the program on other grounds is false and misleading. The governor says that reduction of crime is the only goal that merits California's participation in the Safe Streets program.

Table 18

Views of California Municipal and County Officials Concerning the Extent of Reduction in Crime Which Should Reasonably Be Expected as a Result of Safe Streets Program

October 1975

	Great		Substantial		Moderate		Slight		None		No Response		Total	
	No.	%	No.	%	No.	%	No.	%	No.	%	No.	%	No.	%
Municipal	0	—	15	12	54	43.2	31	24.8	10	8	15	12	125	100
County	0	—	4	12.1	14	42.4	9	27.3	4	12.1	2	6	33	100
TOTAL LOCAL	0	—	19	12	68	43	40	25.3	14	8.8	17	10.7	158	100

Source: ACIR 1975 Safe Streets Survey.

To underscore his commitment to this goal and to emphasize his attitude that government should be accountable to the people, Governor Brown made the continuation of the Safe Streets program in California contingent upon a reduction in crime by the end of a one-year period. The CCCJ said that it would fund only those activities that showed a direct relationship with offenders, victims and crimes. However, after recognizing the statistical trap that a reduction of crime could cause, the governor and the CCCJ altered their criterion for success of the program, requiring that it make an impact on the incidence and consequences of crime. How such impact will be measured remains unclear. Some observers feared that the governor—by adopting such a condition while continuing to fund projects that could result in increased crime reporting—was dooming the program.

Local officials in California anticipate some reduction in the crime rate as a result of the Safe Streets program. As shown in Table 18, 55 percent of the city and county officials responding to ACIR's local questionnaire thought that a moderate or substantial reduction in crime can reasonably be expected as a result of Safe Streets funding. Regional planning board directors do not share this opinion: more than [illegible]4 percent of the directors surveyed expect little or no reduction in crime. Regional officials, who have been part of the Safe Streets planning establishment, appear to have accepted the prevalent theories that crime data are misleading and that the amount of Safe Streets funds is too small to impact on the root causes of crime.

If Governor Brown's approach is implemented, more than $40 million will be directed at crime control in California each year—representing the first attempt to totally direct the program's efforts toward that goal.

Issue 2:

Planning Under the Safe Streets Program is Only an Exercise to Get Federal Money

The Brown administration has criticized the formalized planning conducted by all levels of government as an expensive and ineffective paper-shuffling process. The governor contends that a common-sense anticipation of problems and change is not only the most efficient but also the most logical approach to planning and that planning under the Safe Streets program should be the process of thinking ahead intelligently about crime problems. He condemns the expense, complexity and "pie-cutting" involved in Safe Streets planning conducted during the previous administration.

Participants in that process, the new governor says, were primarily concerned with "bringing home the bacon" to their respective jurisdictions and agencies. This attitude was the result, according to Brown, of several factors, including lack of participation by local officials, the principal appointees to the regional boards, the orientation of Safe Streets decision-making to system improvement goals rather than to crime control and the overall lack of accountability of regional boards to the citizens. The CCCJ's planning guidelines and model regional plan for FY 1976 attempted to launch a crime-related, problem-solving process to replace the interest-group planning of the past.

The governor also attributed the high cost of Safe Streets planning to "gibberish" of planning procedures and grantsmanship. He maintains that if plans and projects were described in language that could be readily understood, the cost required to operate the program would decrease significantly. The administration further contends that if the government operates in a manner so complex that only highly paid professionals can understand, it is no longer responsive or accountable to the people.

In order to control the expense and complexity of the planning conducted in California, the Brown administration has interpreted the amount of Part B appropriation as a congressionally imposed ceiling on the level of administrative activity in the state's Safe Streets program. The governor's office argues that the amount of money made available under the Part B grant – not LEAA guidelines – must be the basis for determining the type and level of planning effort conducted. The enforcement of budget limitations, according to the Brown administration, will force the SPA and the RPUs to adopt simplified planning procedures. Brown administration officials assert that they cannot comply with LEAA guidelines and keep expenses within the Part B allocation. The administration has already reduced administrative costs of the program considerably, aiming to contain planning costs within the Part B allocation. However, a revised planning process has not been developed.

Issue 3:
Federal Grant Programs "End Run" the Normal Processes of State and Local Government

Governor Brown opposes Safe Streets funding of decision-making processes that operate outside established governmental structures. He says that many projects that received Safe Streets support had been rejected by the normal appropriating bodies of state and local government. Brown thinks that the General Revenue Sharing process – where Federal funds are made part of the regular appropriating process – is the best way to avoid this end-running. Under the previous administration, matching funds for state-agency projects were completely controlled by the SPA. The Brown administration has made the state matching procedures part of the executive budget cycle. Appropriating groups almost always review and approve local match of Safe Streets funds on a project-by-project basis.

Governor Brown believes that Safe Streets funds are supporting some activities that are the proper responsibility of state and local governments – such as improvement of the criminal justice system. He also contends that Federal funds are protecting local decision-makers from the hard choices that confront them and that Safe Streets monies support projects that local governments would not support with local revenues.

Conclusion

Final judgments about the Safe Streets experience in California and resolution of many issues raised by Governor Brown will have to be made after the new administration has had an opportunity to fully implement its program. The eight-month record shows a great deal of study and some action toward changing the program. The problems created by delays and policy changes could limit the degree of success in the future, but a final determination of the impact of the events of the past eight months remain to be seen. At least, the governor has raised several important questions about the Safe Streets program in particular and about the nature of government goals and decision-making processes in general. The actions taken by the Brown administration and LEAA in the next eight months will be equally if not more critical to the continuation of the program in California and to the resolution of the issues surrounding it. But even if California is unsuccessful in achieving its goal to control crime, this experience should be useful in answering many of the basic questions about the program.

FOOTNOTES

[1] Information for this section was obtained from the *FY 1975 California Plan for Criminal Justice*.

[2] Los Angeles, Criminal Justice Board, *The Evolution of Criminal Justice Planning 1968-1975*, April 1975, p. I-3.

[3] The figures contained in this section were derived from the information contained in the *FY 1975 California Planning Grant Application*.

[4] California Penal Code, sec. 13823.

[5] *FY 1975 California Planning Grant Application*, Appendix C-7.

[6] *Ibid.*, Appendix 2-3.

[7] *Ibid.*, Appendix C-22.

[8] *Ibid.* Appendix C-5.

[9] "Justice Board Gets Goahead," *Modesto* (Calif.) *Bee*, March 25, 1975.

[10] California, Office of the Legislative Analyst, 1976-1977 Budget Analysis Items 43-45, "General Administration," p. 57.

APPENDIX 1

California Site Visits

The field team visited California on Aug. 18-27, 1975. During this visit a total of 54 interviews were conducted with Federal regional officials; state, regional and local officials; and representatives of several interest groups. In order to get a broad perspective in a state of such great size and divergent characteristics, the field team interviewed in six diferent regions. Three of these regions were selected for more intensive study: Region D, which is a multicounty, inland region attached to the council of governments; Region I, which is a single-county, urban region in the San Francisco Bay Area; and Region R, which is coterminous with Los Angeles County, the largest urban area in the state. A list of the persons interviewed used to develop this case study are included in this appendix.

In addition to the field work conducted in August 1975, which resulted in the major part of the text of this case study, another field trip to California was conducted on Feb. 12-13, 1976 in order to gather information for the epilogue to the case study. During this field visit, interviews were conducted with the executive director of the OCJP and the former state representative and current assistant state representative of LEAA's San Francisco Regional Office (Region IX).

Interviews Conducted in California

State Level

- State Legislature
  - Thomas E. Clarke, Jr., Consultant, Criminal Justice Committee, Assembly
  - Kenneth Carter, Principal Analyst, Legislative Analysis Office
  - Landon K. Schkade, Jr., Administrative Analyst
- Judiciary
  - Ralph Kleps, Director, Administrative Office of California Courts
- Governor's Office
  - Douglas R. Cunningham, Special Assistant
- Office of Attorney General
  - Charles Barrett, Chief Deputy
  - Herbert Ellingwood, Assistant
- California Highway Patrol
  - Glenn Craig, Commissioner
- Department of Correction
  - Lawrence Bennett, Chief of Research Division
- California Youth Authority
  - George Roberts, Chief Deputy Director
  - Frederick F. Mills, Chief Program and Resource Development Section
- Department of Finance
  - Ed Beach, Deputy Director
  - Al M. Loeb, Budget Manager
- Office of Criminal Justice Planning
  - Larry Alamao, Acting Deputy Director
- California Council on Criminal Justice
  - Dr. Kim Nelson, Citizen Member
  - Dr. Carl Werthman, Citizen Member

Regional and Local

- Region I-Alameda Regional Criminal Justice Planning Board
  - Kenneth Kofman—Chairman, Citizen Member
  - John Lenser—Executive Director
  - Cynthia Tablek—Administrative Assistant
  - Bruce Kern—Deputy Director, Planning and Research
- Alameda County
  - Loren Enoch, County Administrator
  - Dave Rowlands, Assistant
  - James Callahan, Chief Probation Officer
- City of Oakland
  - George Hart, Chief of Police
- City of San Leandro
  - Jack Maltester, Mayor
  - Lee Reardon, Special Assistant to the Mayor

- Region D—Sacramento Regional Area Planning Commission
  - James Barnes, Executive Director
  - Karen Rosa, Senior Criminal Justice Planner
  - Grace Clement, Public Member, SRAPC Criminal Justice Advisory Board
- Yuba City
  - Lawrence Mark, Mayor
  - Peter Harvey, City Manager
  - George Garcio, Chief of Police
- Yuba County
  - Maxine Singer, Chief Probation Officer
  - James Hawk, Sheriff's Office
- Sutter County
  - Bernard Taylor, County Supervisor
- El Dorado County
  - Terrence Finney, District Attorney

- Region Q—Ventura Regional Criminal Justice

Planning Board
  Mal King, Executive Director
Ventura County
  Susan Bing, Senior Administrative Analyst

Region T—Orange County Regional Criminal Justice Planning Board
  Keith Concannon, Executive Director

Region R—Los Angeles Regional Criminal Justice Planning Board
  Ron Weber, Executive Director
  Nathan W. Manske, Criminal Justice Supervisor
Los Angeles County
  Peter J. Pitchess, Sheriff
  George W. Pipkin, Chief, Special Services Division
  Donald G. Galloway, Coordinator, Law and Justice Services, Chief Administrator, Office of Los Angeles County
  Frances K. Cholko, Director Administrative Services, Superior Court

City of Los Angeles
  Terry J. Hatter, Director of the Office of Urban Development and Special Assistant to the Mayor
  David Dotsom, Commander, Planning and Fiscal Bureau, Los Angeles Police Department
  Joel I. Edelman, Esq., Director of Planning and Research, City Attorney's Office

Other

LEAA Federal Regional Office—Region IX
  Thomas Clark, Regional Administrator
  Ron Threthric, Director of Operations
  Rick Berman, California State Representative
  Dick Ward, Assistant California State Representative
California Association of County Supervisors
  William Berry, Legal Counsel
League of California Cities
  Randolph W. Harrison, Assistant Director
Regional Criminal Justice Planning Directors Association
  Frederick Coburn, Executive Director

APPENDIX 2

Responses to Local Questionnaires

California
1975

Population Group	Counties			Cities		
	Number Surveyed	Responding		Number Surveyed	Responding	
		No.	%		No.	%
Over 500,000	9	8	88	3	2	67
250,000-500,000	7	4	57	4	3	75
100,000-249,000	10	6	60	13	12	92
50,000-99,999	7	4	57	47	30	64
25,000-49,999	7	4	57	69	37	54
10,000-24,999	11	7	64	89	41	46
TOTAL	51	33	65	225	125	56

APPENDIX 3

1976 California State Plan

Federal Crime Control Act

Fifty-six million dollars of LEAA action funds are available for California's 1975-1976 planning cycle, from July 1, 1975, thru September 30, 1976. Action grant recipients will be able to draw against these funds commencing January 1976.

Crime statistics for 1974 indicate that the crime rate is continuing to rise in California. Since 1970, the average annual increase for the seven major crimes has been 5.8%. In 1974, however, reported crimes increased 8.5% over 1973.

On July 16, 1975, the California Council on Criminal Justice adopted planning guidelines which require that action funds be used primarily for the prevention and control of crime and delinquency. In addition, the Council's guidelines recognize that officials at the local level are best able to decide how to allocate LEAA funds to reduce crime in their locality. Consequently, the Council allocated approximately 78% of LEAA action funds to California's 21 regional criminal justice planning units with the understanding that the disposition of those funds would be reviewed by the Council simply to insure that they will be used to reduce crime.

On October 8, 1975, the Council approved $40 million of spending proposals recommended by the 21 regions. Consistent with the statewide figures showing burglary to be dominant among California's serious crimes, and pointing up the fact that juvenile wrongdoing is accounting for an increasing share of the problem, programs contained in the regional plans heavily involve prevention and control measures for burglary and delinquency.

Because of the large proportion of action funds disposed of through the regional planning units, the regional plans determined the program content of this plan. Based upon CCCJ approval of the regional programs, California's action funds will be spent on four basic programs, as follows:

Crime Prevention & Control	42%
Juvenile Delinquency Prevention & Control	30%
Criminal Justice Manpower	1%
Criminal Justice System Improvement (which includes correctional construction work)	27%

Although program decisions have not yet been made for the approximately 22% of the action funds which will be disposed of through the State and Private Agency Plan, it is likely that the proportions of the funds going into the four program areas will not vary from the region-level shares.

Crime Prevention and Control Program

In the Crime Prevention and Control Programs, methods will be emphasized which directly affect potential offenders, victims, and crime opportunities.

Under community crime prevention, the program will cover attempts to reduce the motivation of persons to commit crimes, by means of education and value formation, job training, employment and the stimulation of citizen involvement.

In the area of law enforcement, one group of projects will reduce opportunities for burglary and other property crime through activities such as public education about security devices and protective measures, improved lighting of public areas and identification systems for vulnerable items of property. Property crime will be deterred through improved police prevention programs, especially those which build public support through neighborhood awareness efforts, prompt reporting of crime and witness cooperation. A third group of law enforcement projects will try to increase the capture of suspects and the recovery and return of stolen property. Finally, a group of projects will maintain and improve police ability to select and use effective enforcement methods directed against drug trafficking.

Although the role of the judicial process in the Crime Prevention and Control Program is subject to constitutional and other legal limitations, courts will improve their dealings with crime victims and complaining witnesses so as to mitigate the damage done by criminals. Because of the deterrent effect of the administration of swift and consistent justice, special prosecution measures will be an important part of the program.

Projects for the correctional system in the Crime Prevention and Control Program will attempt to reduce recidivism. To that end, LEAA funds will be used to provide pre- and post-release services to offenders, including employment assistance, drug abuse and other personal counselling, and measures to help maintain supportive family relationships during incarceration.

Juvenile Delinquency Prevention and Control Program

The Juvenile Delinquency Prevention and Control Program will include projects which increase the crime prevention efforts of existing community youth agencies, reduce crime against persons and property in California schools, continue to develop alternatives to the detention of adjudicated youthful offenders, and provide positive reinforcement for young people in high crime areas to resist peer pressures to commit crimes.

Criminal Justice Manpower

LEAA action funds will continue to support the Criminal Justice Manpower Program through the regional training systems and special purpose training projects.

Criminal Justice System Improvement

In previous years, the majority of LEAA action funds were spent on projects designed to improve the criminal justice system. In contrast, the 1975-76 CCCJ guidelines commit available funds to crime prevention and control activities. Because of the need to protect funds already invested in multi-year system improvement projects, most regions decided to spend some money on system improvements. New projects proposed for the system improvement program are those which have been shown to have a relatively direct effect upon crime and delinquency, including construction and reconstruction of corrections facilities, efforts to reduce trial court delay and assure more consistent sentencing of convicted offenders, and reduce the emergency response time of police agencies.

APPENDIX 4

Special Conditions Attached to California Plan by LEAA Regional Office IX

Grant Number: 76-AF-09-0005

In addition to the General Conditions and Conditions Applicable to Fiscal Administration to which this grant is subject, it is also conditioned upon and subject to compliance with the following Special Condition(s).

This grant award, or portion thereof, is conditional upon subsequent Congressional or Executive action which may result from Federal budget deferral or rescission actions pursuant to the authority contained in Sections 1012(a) and 1013(a) of the Congressional Budget and Impoundment Control Act of 1974, 31 U.S.C. 1301, Pub. L. 93-344, 88 Stat. 297 (July 12, 1974).

Grantee agrees to provide by March 1, 1976 revised program descriptions to incorporate the requirements outlined in par. 73a of LEAA Guideline Manual M 4500.1D.

Grantee agrees to provide by March 1, 1976 information related to the level of assistance provided to high crime/high law enforcement, criminal justice, and juvenile justice areas. This material must indicate compliance with the requirements of par. 78a of LEAA Guideline Manual M 4500.1D.

Grantee agrees to provide by March 1, 1976 data that shows the State's division of funds among the principal sub-division of law enforcement (corrections, police, courts, prosecution, etc.) as reflected in the annual action program and multi-year projections. This data is required by par. 80a of LEAA Guideline Manual M 4500.1D.

Grantee agrees to provide by March 1, 1976 a comprehensive Technical Assistance strategy in accordance with the requirements of par. 83 of LEAA Guideline Manual M 4100.1D.

Grantee agrees to provide by March 1, 1976 an estimate of the total personnel compensation from Part C Federal funds subject to the one-third limitation outlined in LEAA Guidelines Manual M 4100.1A, Chapter 3, par. 36. This estimate is required pursuant to par. 77c (i) of LEAA Guideline Manual M 4100.1D.

Grantee agrees to provide by March 1, 1976 a page reference to the location of all pertinent text and data relevant to the Part E Comprehensive Statewide Program for the construction, acquisition or renovation of correctional institutions and facilities and the improvement of correctional programs and practices throughout the State. This page reference is required by par. 84a of LEAA Guideline Manual M 4100.1D.

Grantee agrees to provide by March 1, 1976 satisfactory assurance that the availability of funds under Part E will not reduce the amount of funds under Part C which would be allocated, in the absence of Part E, for the purpose of corrections. This assurance is required by par. 84d (i) of LEAA Guideline Manual M 4100.1D.

Grantee agrees to provide by March 1, 1976 material to demonstrate how the Part E programming provides satisfactory emphasis on the development and operation of community-based correctional facilities and programs, including diagnostic services, halfway houses, probation and other supervisory release programs for preadjudication and post adjudication referral of delinquents, youthful offenders, and community oriented programs for the supervision of parolees. This material is required by par. 84 L (i) of LEAA Guideline Manual M 4100.1D.

Grantee agrees to provide by March 1, 1976 information to demonstrate how the State's personnel standards and programs for correctional personnel reflect advanced practices. If such standards and programs do not currently exist, an explanation as to what steps will be taken in this regard must be provided. This information is required by par. 84m (i) of LEAA Guideline Manual M 4100.1D.

Grantee agrees to provide by March 1, 1976 a description of how the State will conduct a concerted effort to provide voluntary drug and alcoholism treatment programs for drug addicts, drug users, alcoholics, and alcohol abusers who are either within correctional institutions or facilities or who are on probation or other supervisory release programs. This description is required by par. 84N (i) of LEAA Guideline Manual M 4100.1D.

Grantee agrees to provide by March 1, 1976 a description of how the State plans to provide for accurate and complete monitoring of the progress and improvement of the correctional system. The monitoring must include the rate of prisoner rehabilitation and rates of recidivism in comparison with previous performance of the State or local correctional systems and current performance of other State or local correctional systems and current performance of other State and local prison systems not included in this program. This description is required by par. 84 o (i) of LEAA Guideline Manual M 4100.1D.

The FY 1976 Califorina Comprehensive Plan is approved subject to receipt and approval by LEAA Region IX of the final printed version.

Grantee agrees to submit by March 1, 1976 the Juvenile Justice and Delinquency Prevention plan with a detailed explanation of its integration with the FY 1976 Comprehensive Plan.

Kentucky

Kentucky is a central southern border state that was settled in the early years of the nation. Its population of 3,306,000 (1970 census) is primarily rural. Of the 378 municipalities in the commonwealth, only 96 have a population of more than 2,500.[1] Three areas in Kentucky can be classified as urban: Louisville/Jefferson County, which contains almost one-quarter of the state's population; Lexington/Fayette County, which has an urban county form of government representing a population of almost 175,000 and Campbell and Kenton Counties, including the City of Covington, which are a part of the Cincinnati Standard Metropolitan Statistical Area (SMSA).

Although it ranked 23rd in population among the states, in 1973 Kentucky's crime rate was 46th, with more than 75,000 "Uniform Crime Report" index offenses reported during that year.[2] Fifty-nine percent of these crimes were reported in urban areas. In Kentucky's 120 counties, the number of index offenses reported in 1973 ranged from 8 to 27,873; the highest number of index offenses was reported in Jefferson County, the location of Louisville. Although Kentucky's crime problem continues to increase along with the national crime rate, it can be characterized as moderate in comparison to the problem in other states. Kentucky's crime problem is mainly concentrated in the urban areas.

The major reason for the selection of Kentucky for case study analysis was the unique position of the state planning agency (SPA) in the Department of Justice. In Kentucky, an attempt has been made to integrate planning, budgeting and expenditures for several components of the criminal justice system through an umbrella state agency. Many people involved with the Safe Streets program throughout the country, including the National Advisory Commission on Criminal Justice Standards and Goals, look to this approach as a national model for SPA organization.[3]

THE CRIMINAL JUSTICE SYSTEM[4]

The Commonwealth of Kentucky is primarily a one-party, strong-executive state. The commonwealth, which is organized under a very detailed, specific constitution, has an abundance of constitutionally designated officials. At the state level, the governor holds most of the power in relation to other statewide elected officials and other branches of government. The constitution, however, prohibits any governor elected to a full term from succeeding himself.

The general assembly is a bicameral body that meets biennally for 60-day sessions. Attempts have failed to increase the strength of the general assembly by providing for a short interim session every other year. Only recently did interim committees, made up of the membership of both houses, begin to meet when the general assembly was not in session. Although the resources for committees continue to be modest, they have been increasing. In general, however, the legislature continues to be a relatively weak branch of Kentucky state government.

Kentucky's present court system was created by the 1891 constitution and by subsequent enabling legislation. It consists of the Court of Appeals—Kentucky's highest court, 55 circuit courts of general trial jurisdiction and more than 1,000 inferior courts of limited jurisdiction in counties and cities. According to the FY 1975 Kentucky comprehensive criminal justice plan, this system has evolved over the years to a stage where the courts are now burdened with concurrent jurisdictions and authority. A constitutional amendment to reorganize the court system came before the voters in November 1975. This amendment was approved. As a result, Kentucky will have a single Court of Justice, consisting of a supreme court, a court of appeals, the circuit courts and the district courts.

The primary unit of local government is the county. Under the constitution, each of the state's 120 counties must have the following elected offices: (1) a county judge, who is the county executive and has limited judicial responsibilities; (2) a sheriff, who is the chief law enforcement officer of the county; (3) a jailer, who is the correctional officer responsible for detention and security of county prisoners; and (4) a fiscal court, which is the legislative and budgetary body of the county.

The Kentucky constitution recognizes six classes of cities, with the degree of local autonomy and fiscal and functional responsibility defined according to the class of the municipality. The only first class city in Kentucky is Louisville. Although every city has a mayor and legislative body, the form of municipal government varies widely.

State Level Criminal Justice Organization

In late 1973, Governor Wendell H. Ford, by executive order, reorganized the executive branch of state government into programmatic agencies to improve its responsiveness to contemporary problems. The revamped executive branch was formally adopted by the general assembly in 1974. It consists of the Executive Department for Finance and Administration, the Department for Human Resources, the Department of Justice, the Department for Natural Resources and Environmental Protection, the Department of Transportation, the Cabinet for Education and the Arts, the Cabinet for Development and the Cabinet for Public Protection and Regulation. Each agency is headed by a secretary who is a member of the governor's cabinet, with the secretary for finance and administration serving as the secretary and vice-chairman of the cabinet. When Governor Ford was elected to the U.S. Senate in November 1974 and Lt. Governor Julian Carroll became governor, the reorganized structure was retained. Five cabinet positions were changed and three cabinet members, including the secretary of justice, remained in office.

The major state criminal justice agency is the Department of Justice. The 1974 reorganization consolidated into the Department of Justice most of the functions, authority and responsibilities of the Department of Public Safety, the Department of Corrections, the Kentucky Crime Commission, the Kentucky Law Enforcement Council and the Office of Public Defender. Figure 1 reflects the department's organization. It should be noted that the Office of the Public Defender, which provides defense services in the state courts, is attached to the Office of the Secretary for administrative purposes only. Each bureau is headed by a commissioner who is appointed by the secretary of justice with the approval of the governor. The Executive Office of Staff Services (EOSS), which includes the SPA staff, is headed by an administrator appointed by, and directly responsible to, the secretary of justice. The Kentucky Crime Commission (KCC) is the SPA supervisory board under the Safe Streets Act and serves as an advisory body to the secretary of justice, its ex officio chairman.

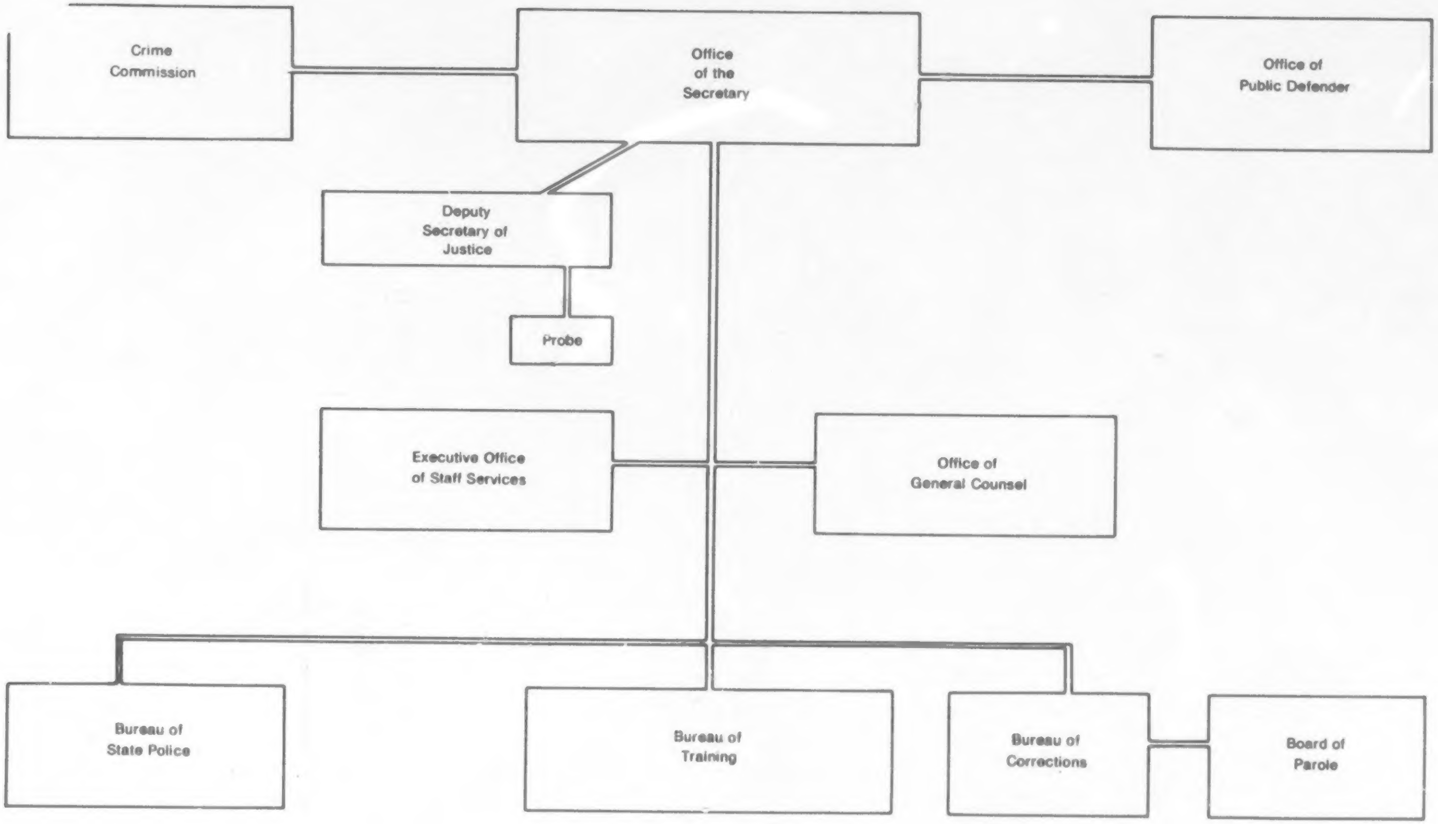
The bureaus within the Department of Justice are the state criminal justice line agencies. These include:

- **The Bureau of Corrections,** which has functioned in one form or another since 1800. This bureau is responsible for managing and supervising all state adult correctional institutions and such community correctional services as probation and parole, employment placement for ex-offenders and coordination of community resources. Although it is actually independent, the Board of Parole is attached to the bureau for administrative purposes.
- **The Bureau of State Police,** established in 1948, is empowered to enforce the state's traffic and criminal laws in all unincorporated parts of Kentucky and in sixth class cities. The bureau may exercise general jurisdiction in all other classes of cities upon the request of their officials; fewer than 20 cities have not taken such action. Also, upon the request of local communities, the bureau will provide computerized criminal information, crime laboratory analysis, criminal identification, polygraph examinations, questioned documents examinations, uniform crime reporting assistance and personnel assistance.
- **The Bureau of Training** was created by the consolidation of the various criminal justice training programs provided by the state except for the Kentucky State Police Academy, which is still a separate entity. The Kentucky Law Enforcement Council, the Commission on Corrections and Community Service and the Judicial Training Council advise the bureau on the nature, content, and relevance of its training programs and evaluate the results of these programs.

The only other state agency with major criminal justice responsibilities is the Bureau of Social Services of the Department of Human Resources (DHR), which has the statutory responsibility for the care and treatment of adjudicated delinquents. In addition to providing institutional care and treatment, the bureau also supervises delinquents committed to DHR and placed on probation, provides in-home counseling and family therapy, sup-

Figure 1

Kentucky* Department of Justice


Crime Commission
Office of the Secretary
Office of Public Defender
Deputy Secretary of Justice
Probe
Executive Office of Staff Services
Office of General Counsel
Bureau of State Police
Bureau of Training
Bureau of Corrections
Board of Parole

*Modified from information contained in the FY 1975 and FY 1976 Kentucky Planning Grant Applications.

ports foster care and operates group homes for delinquents.

The prosecutorial function mirrors the state court system, with the Office of the Attorney General at the state level and commonwealth attorneys in each of the judicial districts. Commonwealth attorneys are elected officials who currently work part-time, although legislation effective on July 1, 1976 will establish full-time positions in the larger districts.

Local Level Criminal Justice Organization

The local criminal justice system is fragmented and varied. In the field of law enforcement, Kentucky has 212 city and county police agencies. More than half of these agencies consist of only one officer, who may or may not be full-time. Two of the city departments supply police services to their respective counties, while several counties have their own police departments. All but two of the 120 county sheriffs exercise some direct law enforcement functions.

All 1,000 inferior courts in Kentucky are at the county and municipal level. Each county has a county or quarterly court, with the county judge exercising judicial responsibility in minor and juvenile cases. Many municipalities have police or magistrate courts, which exercise jurisdiction over traffic and other minor offenses and often conduct pre-trial hearings for felony cases that are to be tried in circuit court. All inferior court judges are elected; they need not be lawyers. To assist with heavy caseloads, the judges in urban districts may appoint trial commissioners who are legally trained and who serve in a judicial capacity. In contrast to the state courts and prosecutors, county and city adjudicative activities are financially supported by fines, fees and local taxes. The prosecution function at the local level is usually performed by elected, part-time officials.

According to the FY 1975 Kentucky comprehensive criminal justice plan, there are 160 local jail facilities in the state; 120 are county-operated and 40 are city-operated. The position of county jailer is a constitutional, elected position. The jailer usually lives at the jail and divides his or her time between custodial and janitorial activities. All local jails are used as detention and short-term correctional facilities.

In summary, criminal justice functions are performed in varying degrees at both the state and local levels. The state currently accounts for 43 percent of all state and local criminal justice expenditures. In addition to its financial commitment, Kentucky has strong state-level involvement in both adult and juvenile corrections and in law enforcement.

THE STATE PLANNING AGENCY[5]

The current state planning agency for Safe Streets Act purposes—the Kentucky Crime Commission (KCC)—was preceded by the Kentucky Commission on Law Enforcement and Crime Prevention. This commission was created in early 1967 by Governor Edward T. Breathitt with financial support from the Office of Law Enforcement Assistance of the Department of Justice, the predecessor to the Law Enforcement Assistance Administration (LEAA). Governor Breathitt charged the commission with the tasks of examining the causes of crime in Kentucky, identifying the most serious crime problems and recommending solutions. The creation of the commission and the development of a staff capability was largely a result of the nationwide focus on crime at that time and, partly, in anticipation of Federal financial assistance. By the time the Safe Streets Act was approved in 1968, the commission and its staff had launched a serious planning and legislative effort that resulted in the publication of several significant criminal justice studies and prompted the general assembly to revise the entire Kentucky penal code.

When the Safe Streets Act became effective, a new governor had taken office. The executive director of the commission, aware of the danger of politicizing the Safe Streets program by using it to build political support, sought and reached a compromise with the new governor in which, "The agency . . . would assume responsibility for grant decisions, good or bad, while the governor, through grant award letters, would take credit for the assistance to local communities."[6] As a result of these negotiations, Governor Louie B. Nunn, by executive order, designated the commission and its staff as the state planning agency under the Safe Streets Act and the Juvenile Delinquency Act of 1968, appointed the executive director to be director of the Kentucky Crime Commission, and made the KCC a part of the governor's office. During the remainder of Governor Nunn's term, the commission steadily expanded its planning and grant award functions in tandem with the growth in Safe Streets Act appropriations. In the early years of the program.

Table 1

Composition of the Kentucky Crime Commission*
By Function
1975

	Number	Percent of Total
Police	12	20
Courts	15	25
General Government	11	18
Corrections	5	8
Juvenile Delinquency	3	5
Other Government	8	13
Other Public	7	11
TOTAL	61	100

*This table was developed from information concerning KCC membership contained in the FY 1976 Kentucky planning grant application, submitted to LEAA in May 1975.

Part B planning funds increased from $314,650 in FY 1969 to $561,000 in FY 1972, while Part C action funds mushroomed from $391,935 in FY 1969 to $6,464,000 in FY 1972[7] (see Table 6).

Despite a new governor assuming office in December 1971, no major changes occurred in the KCC structure, staff or insulation from political intervention. When Governor Wendell Ford decided to reorganize the executive branch, he sought and received input on criminal justice issues from the KCC and its staff; this advice was very influential in developing the Department of Justice concept. With the reorganization, which became effective on Sept. 17, 1973, the SPA became a part of the Executive Office of Staff Services (EOSS) within the Department of Justice. The original KCC executive director and most of his staff left the SPA after the initial phase of reorganization was completed.

The administrator of EOSS is officially designated as the SPA director. Under the original executive order establishing a Department of Justice, EOSS was divided into two divisions – Planning and Budgeting and Management Services. Most of the traditional SPA functions of plan development and grant review, with departmental planning, budgeting, research and evaluation, form the basis for the Division of Planning and Budgeting. The Division of Management Services was charged with handling the personnel, payroll, accounting and other recordkeeping functions for the department. This approach was intended to enable the SPA to plan for the entire state criminal justice system and thus avoid being monopolized by Safe Streets related activities; it was also intended to tie the budget process into a statewide comprehensive planning program.[8]

On March 21, 1975, the governor reorganized the EOSS Division of Planning and Budgeting into three separate divisions:

- **Division of Planning,** responsible for all state and Federal planning functions within those areas of the criminal justice system under the department's jurisdiction;
- **Division of Budgeting,** responsible for the preparation, monitoring and reporting of budget management functions and for advising the commissioners of the bureaus on budget matters; and
- **Division of Technical Services,** responsible for functions relating to Federal and state grants, the police salary incentive program, local and regional technical assistance and grant management.

According to most of those state officials interviewed in the course of the field work, this latest internal reorganization was a recognition that the integrated planning and budgeting system intended for the Division of Planning and Budgeting could not be immediately realized. Department of Justice officials attributed this inability to implement the planned system to the increasing volume and complexity of LEAA guidelines and paperwork and to the change-over to a system of program budgeting in the state. Particularly burdensome was the sub-

Table 2

Composition of the Kentucky Crime Commission*
By Governmental Level

1975

	Number	Percent of Total
State	19	31
Local	19	31
Public	19	31
Other**	4	7
TOTAL	61	100

*This table was developed from information concerning KCC membership contained in the FY 1976 Kentucky planning grant application, submitted to LEAA in May 1975.

**Includes two commonwealth attorneys, a representative of a public educational institution and a public member of a state regulatory body.

mission of three comprehensive plans to LEAA within 18 months so that these plans would coincide with the new state budget cycle. Other state criminal justice officials believed that the 1975 reorganization recognized the reluctance of the bureaus within the Department of Justice to relinquish any of the planning or budgeting prerogatives they had previously held.

From 1969 to mid-1975, the KCCs authorized staff level grew from 10 to 37 professionals. Most of the staff additions were in the areas of subgrant and fiscal management, including auditing. A recent development, welcomed by the regional planners interviewed, was the expansion of regional liaison positions. Another change was to place greater emphasis on the academic credentials of prospective professional staff members. Overall, however, the staffing picture since reorganization is unclear because of the number of EOSS and Department of Justice personnel who substantially contribute to the SPA functions but who are not funded by Part B funds or accounted for under Part B matching contributions.

When Governor Nunn designated the Kentucky Crime Commission as the SPA supervisory body in 1968, he appointed 46 people to two-year terms on the commission. When Governor Ford assumed office, he appointed 32 new members and retained 16 of the members named by his predecessor. The KCC was recently expanded to a membership of 61, including five people who were members of the pre-Safe Streets Act commission and eight who were originally appointed by Governor Nunn. The EOSS staff indicated that the reorganization, coupled with the need to have adequate representation from all criminal justice functions, governmental levels and geographic locations, was responsible for this expansion.

The current composition of the KCC is shown by function and government level in Tables 1 and 2. Fifteen of the 61 KCC members are elected officials, including one state legislator, six local executive and legislative officials, and eight criminal justice officials. Table 1 reflects a concentration of KCC representation in the police function (20 per cent) and in the courts function (25 percent). The latter includes the judiciary, the prosecution and the defense. Table 2 shows an equal distribution of membership among representatives of state government, local government and the public. Despite this equal distribution of representation by governmental level, the regional planners interviewed believed that the state's representation on the KCC was overwhelming. All city and county officials interviewed were either satisfied with the amount of local representation on the commission or were not familiar enough with its composition to comment.

The KCC operates under a strong committee structure, spending the majority of the time in its two- or three-day meetings in committee sessions. In addition to the executive committee, the commission has five standing committees: assessment and crime prevention, police, juvenile delinquency, courts and corrections. The executive committee is chaired by the KCC chairman—the secretary of justice—and is composed of 12 other members, including the chairman of each standing committee. All policies, grant applications and other documents relating to the Safe Streets program are usually reviewed initially by a standing committee, which makes recommendations to the executive committee for final action. The full KCC adopts the annual plan. Because nearly all final decisions are made by the executive committee, however, business meetings of the full commission, which occur at the beginning of each bi-monthly session, are not usually centered on decision-making activities but tend to be mainly of an informative nature.

REGIONAL PLANNING UNITS

At the outset of the Safe Streets program, the Kentucky Crime Commission decided to use a regional approach to local criminal justice planning and created 16 regional crime councils (RCCs). With the exception of the three major urban areas and one consolidated region, RCC boundaries are coterminous with the 15 state planning districts. Recognizing the severe crime problems in the major urban areas, the KCC carved out three urban RCCs from the existing planning districts. Owing to the size of the population and the extent of the crime problem, the three planning districts in the northeastern part of the state are represented by one RCC.

Each RCC is an independent, incorporated, nonprofit agency. The localities in each region were involved in the formation of the RCCs to the extent of passing enabling legislation and, in one case, providing financial support. Of all the regions, only Louisville had performed criminal justice planning activities prior to those initiated through the Safe Streets Act.

RCC policy boards are composed of members from each county in the region. Each county is represented in proportion to the county's share of total regional population. While the secretary of justice actually appoints the RCC members, the county judge and the mayor of the largest city in each county make nominations to the KCC. These recommendations are usually followed. The 1973 amendments to the Safe Streets Act requiring that a majority of regional board members be elected officials forced most RCCs to reconstitute their membership. Prior to these amendments, county judges and mayors generally nominated criminal justice practitioners and interested laymen.

Tables 3 and 4 reflect the current composition of the RCCs in terms of the proportion of elected members and the functional make-up of the membership. The average RCC is composed of 18 members, although the councils range in size from nine to 25 members. As shown in Table 3, all but one RCC is in compliance with the 1973 amendment. On the average, 59 percent of the members in all RCCs are elected officials. Functionally, most RCCs are more heavily represented in the "other" category, which includes citizens and representatives of general local government, and in the courts category because of the large number of elected officials falling into these two categories. Clearly, the corrections and juvenile delinquency functions have the least regional representation, because these functions are mainly performed at the state level.

During the first four years of the program, RCCs generally received only enough Safe Streets planning funds to employ part-time personnel. Part B funding has significantly increased, but most councils are able to support only one professional employee and to provide clerical assistance. Although the RCCs select their own staff, the state does require that regional professional staff be full-time employees and possess a college degree.

According to the regional guide published by the KCC in July 1972,[9] the RCCs operate as law enforcement planning agencies for all units of general local government within their region. Each council is responsible for assessing local crime problems, indicating priorities and formulating recommendations for the improvement of criminal justice facilities and programs in the region. The RCCs are also expected to encourage local applications and to make recommendations to the KCC concerning the relative merits of such applications. The major functions of regional staff are to provide technical assistance to applicants wishing to apply for funds, help subgrantees prepare reports and conduct monthly monitoring of all KCC grants in the region.

Although planning districts had been delineated in Kentucky prior to the Safe Streets program, no planning activity had begun in these districts when the RCCs were established. Since the creation of the RCCs, multipurpose planning activities have been undertaken by area development districts (ADDs) in each district. Most ADDs are responsible for regional planning under state and Federal programs, although certain programs, such as comprehensive health planning, are handled by inde-

Table 3

Regional Crime Council Membership

1975

Region	Total Membership	Number Elected	Percent Elected
Purchase	14	8	57
Pennyrile	25	15	60
Barren River	20	10	50
Green River	19	10	53
Lincoln Trail	22	14	64
Jefferson	16	9	56
Northern Kentucky	9	5	56
Northeast	25	14	56
Louisville/Jefferson County	16	10	63
Campbell/Kenton	25	13	52
Big Sandy	14	9	64
Kentucky River	14	8	57
Cumberland Valley	17	12	71
Lake Cumberland	12	9	75
Lexington-Fayette County	18	8	44
Blue Grass	20	14	70
TOTAL	286	168	59

Average membership = 18 members
Average number elected = 11 members

Source: FY 1976 Kentucky planning grant application.

Table 4

Regional Crime Council Membership by Function

1975

Region	Police	Courts*	Corrections	Juvenile Delinquency	Other	Total
Purchase	3	6	1	2	2	14
Pennyrile	9	7	2	1	6	25
Barren River	3	4	0	2	11	20
Green River	7	5	0	1	6	19
Lincoln Trail	3	4	1	1	13	22
Jefferson	4	9	1	1	1	16
Northern Kentucky	2	2	1	2	2	9
Northeast	8	9	0	1	7	25
Louisville/Jefferson County	3	5	1	0	7	16
Campbell/Kenton	4	6	3	1	11	25
Big Sandy	2	6	1	0	5	14
Kentucky River	4	6	1	1	2	14
Cumberland Valley	3	3	1	1	9	17
Lake Cumberland	4	6	1	0	1	12
Lexington/Fayette County	0	2	1	1	14	18
Blue Grass	3	6	2	1	8	20
TOTAL	62 (22%)	86 (30%)	17 (6%)	16 (6%)	105 (37%)	286 (100%)

*Court members include county judges.

Source: FY 1976 Kentucky planning grant application.

pendent planning units in some regions. In every planning district, the ADD is the regional A-95 clearinghouse.

Only four of the 16 RCCs have been formally integrated into the ADD structure, with the council sometimes also serving on a contractual basis as an ADD subcommittee for planning, technical assistance and A-95 review purposes. Owing to a change in LEAA guidelines, all RCCs in Kentucky will be entering into A-95 memoranda of agreement with ADDs during 1975. Informal cooperation between RCCs and ADDs is extensive. For example, several councils share office space with the ADDs and some actively participate in providing criminal justice input into the development of programs not traditionally related to criminal justice.

Most RCC directors interviewed did not see consolidation with the ADDs as desirable or imminent because they believed that the effectiveness of the RCC would be diluted in terms of position, influence and recognition. Several local elected officials believed that such a merger would be useful because they hold membership on both the RCC and the ADD and are unable to adequately serve on both. Officials within the SPA agreed that consolidation of the councils and the ADDs would dilute the effectiveness of the RCC, but that such consolidation was inevitable due to the increasing trend toward regionalism in Kentucky and the growing reliance of local government on the ADDs.

Another feature of the KCC regional program is the use of criminal justice coordinating councils (CJCCs), which can be funded with Part C action funds, in units of local government or combinations of local units having populations of 250,000 or more. In 1972, the KCC designated the Louisville/Jefferson County region and the Bluegrass region, which surrounds Lexington, as eligible for CJCC status. Because an RCC had already been established for these regions, the CJCC designation brought additional financial support for criminal justice planning efforts. Although the Louisville/Jefferson County RCC and CJCC were officially separate until they merged in 1975, both had the same supervisory body and staff. In 1975, the Bluegrass RCC was returned to RCC status because LEAA found that its designation as a CJCC was not within the intent of the Safe Streets Act.

SAFE STREETS PLANNING

When referring to comprehensive plans produced by the KCC since 1969, many of those interviewed implicitly agreed with a statement contained in the initial Kentucky plan that it was "a documented justification for the federal funding . . . not a definitive evaluation of overall needs and priorities."[10] Even with the additional impetus resulting from an early start, the KCC began its criminal justice planning efforts like most other states—highly reliant upon agency need definitions that were usually based upon intuition rather than on data. Therefore, initial planning activities were reactive to perceived needs without the benefit of overall system analysis to permit prioritization between competing component problems. Despite exceptions, such as penal code reform, the KCC was also limited to planning for Federal funds rather than planning for the greater amount of state and local resources that actually operate the criminal justice system.

Without disregarding the traditional criminal justice agency needs, the director sought to have the KCC act as a catalyst for system change and modernization. The KCC and its staff used the carrot of Federal funding to encourage implementation of new approaches to criminal justice problems. Ideally, this would have epitomized the seed-money concept, but the zeal of the KCC staff to modernize the system, as well as the large proportion of funds made available only for innovation, resulted in conflict with line agencies and in some cases project failures.

With the great increases in action funds between FY 1970 and FY 1973, the KCC was able to continue adding new programs despite an increased demand for the continuation of previously funded projects. As one subgrantee stated, the KCC was continually " . . . plowing new soil but never going back to plant the seeds." Many people interviewed thought that the KCC's desire to change the system, combined with the growing amount of funds available, caused the commission to waste money either on programs that were not wanted or needed by state and local agencies or on programs that required more KCC attention in order to be implemented than was available.

Officials currently employed by the SPA describe plans completed by the original commission as "reports" rather than plans, because all funding decisions were made prior to the development of plan documentation. Everyone interviewed within the SPA agreed that since the reorganization its planning capacity had improved in terms of data analysis and problem identification. They indicated, however, that the burdens imposed by the submission of three comprehensive plans to LEAA within 18 months, an increase in the number of Federal guidelines, and a lack of accountability in the previous KCC administration had severely limited their ability to pre-plan and to change from an allocation to a planning process. Several examples of this alleged lack of accountability were offered by current SPA staff: (1) failure to request plan amendments, (2) inadequate financial controls and (3) little grant monitoring.

Nature of Planning Activities[11]

Although the EOSS Division of Planning is still charged with the responsibility of departmental planning, it continues to have as its primary function the development of the comprehensive plan for criminal justice. The organization of the division almost parallels the KCC committee structure, with a section for police, courts, juvenile delinquency, adult corrections, manpower development and planning systems development. Each section has a section supervisor and subordinate planners and acts as staff to the KCC committees. In order to improve coordination and to reduce conflict, two section supervisors are actually on loan from other state agencies—the police section supervisor from the Kentucky State Police and the juvenile delinquency section supervisor from the Bureau of Social Services of the Department of Human Resources.

The planning process used by Kentucky relies upon the input of data, attitudes and priorities from all levels of government, the RCCs, each criminal justice function, interest groups and the general public. With an increasing emphasis on data analysis, two basic tools are used to develop information: questionnaires and public hearings. Each year the Division of Planning, in coordination with the RCCs, surveys every law enforcement agency, prosecutor, judge and jailer in the state. In addition, each RCC is required to produce and submit to the division an assessment of crime and the criminal justice system and suggestions for programs desired in the region. During the same period, weekly meetings are held between the staff of the Division of Planning and appropriate state agencies for the purpose of securing state-level input. As the repository for all "Uniform Crime Report" information, the Kentucky State Police supply the division with relevant crime data. A series of KCC-RCC sponsored public meetings, initiated in 1974, are held throughout the state.

While the data development process is still underway, the section staffs begin presenting information and analysis to their respective KCC committees. These committees formulate program priorities and recommend funding levels. The total amount budgeted by all committees at this point usually exceeds the Federal dollars available; through a series of reviews, which involve eliminating low priorities, cutting invalid costs and rebudgeting, the amounts are brought into balance.

Since 1974, it has been very apparent that the amount of funding for continuation projects plays a commanding role in the decision-making concerning the allocation of resources. According to the Kentucky response to the ACIR's questionnaire survey of SPAs, 62 percent of the FY 1974 block grant supported continuations and an estimated 65 percent of the FY 1975 block grant would be used for this purpose. In effect, the growing number of programs that the KCC usually continues, combined with the slowing rate of increase in action funds, has left very little money available for new initiatives. Therefore, the adjustment process usually focuses on new priorities, which KCC ranks lower than continuations. Some committees delegate these decisions to their respective staffs after providing general guidance and review.

The Kentucky plan uses a set of program categories that are similar to those suggested by LEAA. Those shown in Table 5 have been followed for a number of years, although not all categories are

Table 5

Kentucky Program Categories

A — Criminal Justice Legislation and Citizen Education
B — Research, Planning, Evaluation and Information Systems
C — Crime Specific Planning
D — Improved Detection, Deterrence and Apprehension
E — Increased Efficiency of Adjudication
F — Delinquency Prevention, Control and Rehabilitation
G — Adult Corrections
H — Manpower Development
I — Innovative Systems
J — Drug and Alcohol Abuse

Source: Kentucky Crime Commission.

funded every year. These categories are used primarily to satisfy LEAA's need for a program structure, as the priorities developed by the KCC are not initially classified by program categories. The matching of KCC priorities with LEAA program categories is performed by the staff and is considered a "housekeeping" function by the commission.

As previously indicated, the RCCs are required to submit an assessment of crime and the criminal justice system during the plan development process. These inputs are not considered by the SPA to constitute a regional plan, even though the RCC must approve them. The FY 1976 planning grant application indicates that the regional response to these requirements was deemed inadequate by the SPA staff.[12] In interviews, the SPA staff indicated that they thought that only the urban RCCs, particularly the Louisville RCC, were doing any "real" planning. The staff defined "real" planning as the analysis of needs and problems based on the examination of comprehensive data, the prioritization of problems and the selection of methods for problem solution. This contention is supported by local officials in the Louisville region who appear to greatly value the LRCC planning effort. Even though they are already supplying 25 percent of the LRCC's revenues, most local officials in Louisville/Jefferson County expressed a willingness to assume total financial support if Federal planning funds were not available.

While acknowledging that most RCC activities are related to grant development and administration, the regional directors complain that RCCs never know how much money is available to each region and that the KCC fails to recognize RCC priorities, to the point of excluding them from the state plan. One rural region's director stated that the state discourages any regional planning by such actions. On the other hand, the SPA contends that changes in and omissions of RCC priorities are the result of both the need for statewide coordination and of poor planning at the regional level.

In recent years, the RCC directors have organized into the Kentucky Association of Regional Planners. This association is expected to be influential in the future. Through the efforts of the association, the rural RCC directors met during the last planning cycle to develop a list of rural priorities. For the same reasons indicated above, however, not very many of these priorities were included in the state plan, despite the united effort of the rural directors.

Even though the SPA believes that the regions do not adequately perform the planning function and even though the RCCs recognize the pitfalls of their concentration on grant-related activities, the regional directors and local officials interviewed believed that they were receiving adequate financial resources. This belief is largely due to the parochialism of the rural regional directors and to the high level of satisfaction of local officials with the services performed by the RCC staffs.

In a similar context, friction between the KCC and the LEAA regional office has intensified recently as the number of Federal guidelines has increased. Both the secretary of justice and the administrator of EOSS indicated that the benefit derived from LEAA funds was becoming less than the level of effort required to meet Federal guidelines. They cited the fact that the FY 1976 planning guidelines (contained in "Guideline Manual M4100.1D") were not published until well after the Kentucky FY 1976 planning cycle had been initiated. This has been a problem in previous years as well. Many SPA staff members indicated that the LEAA guidelines were preventing the Division of Planning from pre-planning because of their detail and their untimely publication.

At the same time, the SPA works closely with the LEAA regional office in developing its annual plan. The SPA requests guidance from the regional office on each phase of plan development in order to insure guideline compliance. A major purpose of this informal process is to raise problems prior to plan submission. The addition of new requirements by LEAA's central office after planning guidelines have been issued, has sometimes undermined this effort, although relatively few special conditions have been placed on Kentucky's plans.

The relationship between LEAA and the SPA has changed greatly since 1969. Initially, liaison with the state, including plan review and approval, rested with LEAA headquarters in Washington, D.C. In a move toward decentralization in 1972, the LEAA regional offices were given the major responsibility for state liaison and the review and approval of state plans. The tenor of the relationship between LEAA and the Kentucky SPA has not always been good. According to Joseph F. Ohren:[13]

> At first, this relationship was exacerbated by the search on both sides for the boundaries of their respective roles. A largely

> negative view of the value and efficacy of LEAA input seemed to predominate the early years of the Commission. This seemed prompted in part by the inability of SPA itself to get timely and meaningful interpretations of LEAA requirements. Indeed, LEAA seems to have been viewed as the primary obstacle to agency accomplishment as the SPA saw it. This view softened over time, with the development of greater LEAA expertise and the maturing of personal and professional relationships.

The reorganization did not eliminate tension between LEAA and the SPA. Their relationships are strained at times—not by specific disagreements but by the SPA's frustration at having to spend so much time on Safe Streets activities. SPA officials criticize the growth of LEAA guidelines and
296 policies, which they believe interfere with their ability to carry out non-LEAA-related functions by causing valuable staff time to be devoted to redundant and insignificant matters. Specific complaints include the frequent changing of guidelines, delays in guideline issuance and repetitive requests for information. These concerns are not limited to the SPA; in a written response from the governor to ACIR questions, several restrictions or requirements were cited as limiting effective use of Safe Streets funds, including "the complexity of the 'guidelines' generally which sacrifice time and substance to form and relative trivia, thereby drawing into question the cost effectiveness of Safe Streets funding."

Plan Implementation

The implementation of each annual plan begins with its publication, followed by grant application development, review and approval, grant execution and monitoring and evaluation for feedback in future planning. This process has become more and more routinized with each year of program maturity, permitting the KCC to be more responsive and timely in identifying and correcting problems. This is evidenced by the small percent of Part C funds that lapse every year.

The KCC, through the EOSS and RCCs, encourages the submission of grant applications for programs outlined in the annual action plan section. The EOSS and RCCs not only inform localities and state agencies of the programs sought by the KCC, but also provide technical assistance in application development. Most of the rural RCC directors interviewed indicated that they often prepare applications for localities.

Because LEAA requires fairly detailed program descriptions in the annual action plan and limits the degree of change in action plan contents, the KCC has prescribed the programs it will fund by limiting the type of activity and, sometimes, by limiting the size of the agency eligible. Many local officials complained that such limits prohibited them from applying under some programs. In addition, the KCC may place other types of conditions on programs. The most frequently mentioned example was the "string" requiring multijurisdictional consolidation of facilities before funding is granted. Local officials believed that such policies either forced them to participate in unwanted programs or prevented them from addressing their most pressing needs.

In response to these limitations, and in order to encourage local initiative, the KCC utilized a program category entitled "Innovative Projects." To be eligible for funding under this category, the applicant had to address a problem in more than one criminal justice component and to find an innovative solution. Unfortunately, most of the dollars here were reprogrammed due to a lack of quality applications. Several local officials expressed concern that this program category was used to reward either state agencies or localities that were friends of the KCC or the Department of Justice.

Due to the block grant orientation of the planning process, the description of specific projects in the state plan and the eligibility limits placed on programs, all of the regional directors and many local officials who were interviewed indicated that the actual funding decisions were usually made during plan development. Therefore, these officials have been much more interested in impacting on the planning/allocation process than on the grant application review process. This situation is becoming more apparent as the number of continuation projects increases, placing the localities into competition with each other and with state agencies.

The KCC entertains grant applications at any time during the year, although submissions must be made no later than 30 days prior to the KCC bimonthly meeting. The EOSS staff reviews each grant application for technical accuracy, relationship to the comprehensive plan and substantive merit prior to review by the commission. EOSS staff comments and recommendations and RCC comments are transmitted with the application to the members of the appropriate committee prior to the KCC meeting. The committee reviews the grant application and makes a recommendation for approval, deferral or rejection to the executive committee. The executive committee makes the final decision on every application.

If the KCC approves a grant application, the wheels are set in motion to draw up the grant award documents and to secure the governor's signature. The KCC may decide that an application cannot be approved at one meeting and may defer it to a subsequent meeting. A deferral is handled like a formal rejection, even though the application is automatically resubmitted by the SPA staff. The KCC usually defers action on applications that are deemed meritorious when no funds are available in the plan for the purposes stated in applications. Some grant applications are re-deferred for several meetings. When the KCC rejects an application, the reasons, including an assessment of deficiencies, are transmitted to the applicant who is requested to resubmit the application when the deficiencies are rectified.

The process, from submission to notification of rejection, deferral or approval, takes no more than 60 days. Compliance with this standard did not appear to cause great administrative problems, although the workload involved in giving the applications an adequate staff review during hectic plan development periods did become burdensome. Most local and regional representatives expressed neither satisfaction nor dissatisfaction with the time frame.

In summary, the decision-making process can be viewed as a series of obstacles, with those applications that hurdle every one receiving KCC approval. The initial obstacle is obtaining RCC support for local proposals. In reality, the regional staffs effectively discourage applications that they know the KCC will not fund. The RCCs usually recommend that the KCC approve every application that comes before them, because of the desire to get as much money into the region as possible and because of the fear of retaliation for rejecting another council member's application. The next step in the obstacle course is the SPA staff review. A recommendation to reject an application normally carries a lot of weight in KCC committees. Although the committees reserve the right to make their own decisions, they rely on staff reviews owing to the limited time they have available to consider applications. If an application carries a rejection recommendation from the standing committee to the executive committee, it usually will be rejected by the latter. The executive committee, however, has been known to reject or defer applications that carried a positive recommendation from the standing committee.

Once a grant application has been approved, the state agency or locality must formally accept the grant by signing a subgrant agreement. According to the SPA staff and the regional planners, the greatest delay in project implementation occurs at this point. Because the grant is not officially accepted until the subgrant agreement is signed and returned by the locality, no funds are transmitted and the project does not begin. Part of the delay here is the result of the inaccessibility of duly authorized officials and the local officials' lack of experience in dealing with grants.

The RCC staffs become actively involved with the subgrantees during implementation of the project and continue in that capacity throughout the project's life. Many RCC directors indicated that they not only monitor the projects in their regions but also prepare fiscal and programmatic progress reports for the subgrantees to submit to the KCC. Most RCC staff spend considerable time on monitoring activity.

To date, little evaluation has been conducted in Kentucky. A new evaluation unit has been established and staffed within the Division of Technical Services of EOSS, but it has yet to complete any evaluations. A detailed evaluation strategy and procedures have been prepared by the KCC. The Louisville RCC has the only evaluation capacity among the regions, although no evaluations have been made. Because of the short time period that evaluation units have been in existence, the results to date are not surprising. Local officials interviewed stated that they would welcome additional information on projects when making refunding or assumption-of-cost decisions. A consultant did evaluate a large consolidation project in the Louisville/Jefferson County area, but this effort was described by most local officials as "a post mortem of a failure."

SAFE STREETS FUNDING

Table 6 shows the monies allocated to Kentucky by LEAA from 1969 through 1975. During this period, the amount of action funds (Part C and Part E) increased 2,000 percent. Most of this growth occurred between 1970 and 1973, prior

Table 6

LEAA Awards to Kentucky
FY 1969-1975

	1969	1970	1971	1972	1973	1974	1975
Part B	$314,650	$ 347,000	$ 419,000	$ 561,000	$ 809,000	$ 809,000	$ 889,000
Part C	391,935	2,906,000	5,290,000	6,464,000	7,500,000	7,500,000	7,514,000
Part E	0	0	726,000	762,000	882,000	882,000	884,000
Discretionary	72,439	1,005,399	1,677,591	546,545	2,865,517	501,210	2,210,458

Source: LEAA Grants Management Information System (GMIS) data.

Table 7

Recipients of Action Funds
1974 Grant Sample

Recipient	Number of Grants	Percent of Grants	Amount of Funds	Percent of Funds	Amount of Average Grant
State	21	23	$2,444,033	57	$116,382
County	43	48	1,314,344	31	30,575
City	15	17	237,932	6	15,862
Other	11	12	310,219	7	28,202
TOTAL	90		$4,306,528		

Table 8

Recipients of Action Funds*
FY 1969-1975

	State		Cities		Counties		Private		Total**
	Dollars	Percent	Dollars	Percent	Dollars	Percent	Dollars	Percent	Dollars
1969	155,662	39	181,659	45	60,616	15	0		397,937
1970	1,168,702	36	858,559	27	1,131,883	35	0		3,159,144
1971	1,935,851	42	1,267,440	28	1,316,227	29	0		4,519,518
1972	3,228,978	50	1,226,675	19	1,976,627	30	0		6,432,280
1973	3,576,898	55	843,493	13	2,015,629	31	0		6,436,020
1974	3,443,412	48	897,789	12	2,728,035	38	1600	—	7,070,836
1975	4,908,317	80	562,442	9	659,573	10	0		6,130,332
TOTAL	$18,417,820	53	$5,838,057	17	$9,888,590	29	$1600	—	$34,146,067

**Source:* GMIS data.

**The amounts of funds equals the amounts reported into GMIS. In the four most recent fiscal years, GMIS has 89 percent of the Part C and E awarded in FY 1972, 76.7 in 1973, 84.3 in 1974 and 73.0 in 1975.

to the reorganization. This substantial increase was part of nationwide growth in Safe Streets funds and was not unique to Kentucky.

Distribution and Use of Action Funds

In order to determine the nature of activities supported by Safe Streets funds in Kentucky, the field team reviewed available summary information, including some data from LEAA's Grants Management Information System (GMIS), and examined a sample of grants awarded by the KCC during FY 1974. (For a more complete review of LEAA's Grants Management Information System refer to Chapter V.) Ninety subgrants were selected by choosing every other grant in the order in which they were awarded. The sample represents 49 percent of the total grants awarded in 1974 and 54 percent of the funds. Tables 7 and 8 reflect grant sample and GMIS data concerning recipients of Safe Streets funds in Kentucky.

Table 7 shows that although state agencies received by far the largest percentage of funds, local governments received a much greater number of grants, reflecting the difference in the size of awards to state and local recipients. Of some surprise was the small amount of funds provided to cities, which may reflect the important role played by county government in criminal justice activities in Kentucky. Of the subgrants to counties, more than 83 percent went to three of the largest jurisdictions (Jefferson, Campbell, and Kenton counties), illustrating the KCC's desire to channel more funds to urban areas where the population and crime rates are highest. The majority of subgrants awarded to "other" recipients went to the Lexington/Fayette County urban government and other jurisdictional combinations.

The larger percentage of funds going to state agencies, as shown in Tables 7 and 8, reflects the fact that some projects operated by state agencies are considered to be for local benefit and are counted as a part of the local funding requirement of the variable pass-through provision of the Safe Streets Act. The major example of a project of this type is the Kentucky Law Enforcement Program Fund (KLEPF). This program provides a 15 percent salary incentive to local police officers who receive a minimum amount of recruiting and in-service training. To enable all local police agencies to participate, the required training is offered free of charge by the state. Even though the state operates the program, it is included in the amount used as variable pass-through. Although many regional and local officials complained of this practice, they indicated that they want programs of this nature, and particularly KLEPF, to continue. According to the pass-through formula mandated by LEAA, the KCC must distribute a minimum of 54 percent of all action block grant funds to units of local government. The SPA staff contends that the pass-through requirement was greatly exceeded and would be met without counting in those projects that are considered to be for local benefit.

In an attempt to determine the kinds of activities supported with Safe Streets funds, the field team classified each subgrant in our sample in one of the five categories listed in Table 9. This categorization was done in conjunction with the KCC staff members. Like all but one of the 10 States studied, Kentucky spends the majority of its Safe Streets funds to provide services; it spends lesser amounts

Table 9

Primary Activities Supported With Action Funds
1974 Grant Sample

Primary Activity	Number of Grants	Percent of Grants	Amount of Funds	Percent of Funds
Equipment	12	13	984,557	23
Construction	0	0	0	0
Services	57	63	2,623,588	61
Training	20	22	628,383	15
Personnel	1	1	70,000	2
TOTAL	90		$4,306,528	

Table 10

Action Funds and Subgrants Awarded
FY 1969-1975

Fiscal Year	Total Action Funds	Number of Subgrants
1969	$ 391,935	47
1970	2,906,000	151
1971	6,016,000	251
1972	7,226,000	260
1973	8,382,000	119
1974	8,328,000[a]	161[b]
1975	8,408,000[a]	79[b]

Source: Joseph F. Ohren, "Intergovernmental Relations in Law Enforcement State Implementation of the Safe Streets Act" (Ph.D. dissertation, Syracuse University, 1975), as updated by the Kentucky Department of Justice, p. 68.

[a] These numbers represent the total amount of funds to be awarded. All of these funds have not been awarded to date.

[b] These numbers represent only those subgrants approved as of April 30, 1975, and therefore do not reflect the total number of subgrants which will eventually be awarded.

300

on equipment, training, construction and personnel. The grant sample and summary data contained in Table 10 indicates that most awards by the KCC are of substantial size. Many training or equipment-related activities are either not funded or are operated on a statewide basis in order to facilitate coordination and to avoid the administrative costs involved in processing large numbers of very small grants. In addition, service projects usually require greater amounts of funding, thus limiting the number of grants. Some of the larger allocations in this area were juvenile delinquent after-care programs, work release and ex-offender programs, prosecution and defense services, resource coordinators for juvenile courts and organized crime control.

The commission does not encourage the use of Safe Streets funds for construction purposes. This, combined with the reluctance on the part of subgrantees to provide the 50 percent cash match and with other conditions that must be met in building certain facilities with Safe Streets funds, largely explains the absence of subgrants for construction in our sample. In some jurisdictions, subgrantees use general revenue sharing funds for construction because there are no match requirements.

Tables 11 and 12 show the functional distribution

Table 11

Distribution of Action Funds by Functional Component
1974 Grant Sample

Functional Component	Number of Grants	Percent of Grants	Amount of Funds	Percent of Funds
Police	23	26	1,831,349	43
Courts	26	29	453,362	11
Corrections	14	16	577,502	13
Juvenile delinquency	24	27	1,353,688	31
Drugs and alcohol	0	0	0	0
Combinations	3	3	90,627	2
TOTALS	90		$4,306,528	

Table 12

Distribution of Action Fund Awards By Criminal Justice Function FY 1969-1973 (Actual Awards) FY 1974-75 (Planned Awards)

	Police	Courts	Juvenile Delinquency	Corrections	Other	Total Action Funds
Actual						
1969						
Amount	193,439	13,400	102,018	65,077	18,000	391,935
Percent	49	3	26	16	5	
1970[a]						
Amount	1,886,774	47,153	506,835	292,543	82,520	2,906,000
Percent	64	2	17	10	3	
1971						
Amount	2,946,091	494,857	1,151,443	1,230,896	192,709	6,016,000
Percent	49	8	19	20	3	
1972						
Amount	3,539,641	810,338	1,716,[illegible]60	1,011,596	137,149	7,226,000
Percent	49	11	24	14	2	
1973[b]						
Amount	4,460,107	393,937	1,044,451	2,259,070	216,072	8,382,000
Percent	53	5	12	27	3	
Planned						
1974						
Amount	2,770,391	705,484	1,748,199	1,579,132	1,578,794	8,382,000
Percent	33	8	21	19	19	
1975						
Amount	3,426,859	755,691	2,091,391	1,460,110	663,944	8,398,000
Percent	41	9	25	17	8	

a Approximately three percent of action funds were refunded to LEAA from 1970 fiscal year funds.

b All but $8,361 awarded as of June 30, 1974.

Sources: Kentucky Crime Commission, Financial Report for Fiscal Years 1973 and 1974, and Progress Report; Kentucky's 1973 comprehensive criminal justice plan; Ohren, p. 186.

of Safe Streets monies. The greatest emphasis in funding has been on the police function. A closer examination of the grant sample data revealed that half of the funds in the policy category were expended on communications and information systems. This high percentage results almost entirely from two very large subgrants totaling $854,000 – one to establish a statewide criminal justice information system under the Kentucky State Police and the other to implement Jefferson County's participation in the statewide communications system.

In comparing the relative emphasis on the remaining functional areas with the summary data, the field team found the grant sample to be fairly representative. Even though the amount of funds awarded to juvenile delinquency projects has never reached 31 percent of the annual Part C allocation, the juvenile delinquency allocation has usually been second only to the allocation for police. The grant sample data do not accurately reflect the funding level for correctional programs. This is due to the random exclusion of a very large grant ($837,180) awarded during 1974 to reorganize the probation and parole functions.

A major factor conditioning the distribution of Safe Streets funds in Kentucky is the substantial number of continuation programs supported by the KCC (see Table 13). According to the FY 1976 planning grant application, several larger grants are in their sixth and seventh years of funding. Continuations are expected to reach 83 percent of the funds available in FY 1976. The major reason for this high

Table 13

Safe Streets Continuation Funding in Kentucky
FY 1971-1972

Fiscal Year	Total Federal Funds Awarded	Total Continuation Awards	Percent
1971	$5,290,000	$1,884,904	36
1972	7,212,042	3,633,876	50
1973	8,373,639	5,013,000	60
1974	7,129,679	4,698,037	65.8
1975	6,391,356	4,111,142	64.6

Sources: Ohren, p. 219; Kentucky Department of Justice, Financial Reports, 1971-1973, 1974-1975.

Table 14

Prior Attempts of Activity
1974 Grant Sample

	Number of Grants	Percent of Grants	Amount of Funds	Percent of Funds
Never attempted anywhere	3	3	135,337	3
Never attempted in state	[illegible]	40	2,922,053	68
Never attempted in locality	38	42	1,177,431	27
Has been attempted in locality	13	14	71,707	2
TOTAL	90		$4,306,528	

Table 15

Degree of Innovation
1974 Grant Sample

Degree of Innovation	Number of Grants	Percent of Grants	Amount of Funds	Percent of Funds
New	54	60	3,169,707	74
Expansion	16	18	517,705	12
Update	10	11	614,726	14
Routine	10	11	4,390	0.1
TOTAL	90		$4,306,528	

Source: FY 1976 Kentucky planning grant application level is that the KCC lacked a formal continuation policy until March 1975 when the following policy was adopted by the KCC:[14]

> Each grant application, at the time of original funding, shall specifically state the number of years of funding expected and the method and source of funds by which the project shall be continued. The committee shall, with approval, make a specific recommendation as to the number of years of funding recommended for the project (this is not a commitment for continuation funding). Any project receiving more than 36 months of support requires that the subgrantee personally appear before the advisory and executive committees of the Kentucky Crime Commission to fully explain the nature of the project and the necessity for the continued support of the project.

To determine the extent to which Safe Streets funds were used to support new and innovative rather than routine activities of state and local government, the field team classified the sample of grants according to two additional sets of criteria. The first set was intended to reflect the degree to which the activity had been attempted at the state or local level prior to its initiation with Safe Streets funds. As Table 14 indicates, in the Kentucky grant sample more than 68 percent of the funds awarded were used to support activities that had not been attempted within the state. Combining this with an additional 27 percent of the funds supporting activities that had not been attempted in the locality and three percent that had never been attempted anywhere indicates that 98 percent of the sampled funds were used for activities new to the jurisdiction receiving the funds. Only two percent supported activities that had already been attempted within the jurisdiction.

The second set of criteria called for identifying each subgrant as a new activity, an expansion of an existing activity, an update or modernization of an existing activity, or a routine activity. Table 15 shows the results of this classification. Again, the overwhelming majority of funds were used to support new activities. This could reflect the omission from the sample of the very large subgrant awarded to train local police officers—an activity that could be considered routine. Even considering the subjective nature of the classification by the KCC staff and the field researchers, however, it is clear that, in Kentucky, Safe Streets funds have not been used primarily to support routine activities.

Subgranting Issues

The issue most consistently raised by local and regional interviewees concerned the alleged inequities in subgranting between state projects and local projects. These allegations are based on four KCC practices of a technical nature. Although most local officials interviewed were not intimately aware of the details of the program, at least one out of four displayed a high level of knowledge and interest in the mechanics that made inequity an issue in Kentucky.

First, the match required for local projects is 25 percent of the total project costs, but the match required for state projects is only 10 percent. The Safe Streets Act requires that a minimum of 10 percent of the total costs for any non-construction project be supplied by the subgrantee and that such match be appropriated. A state has the option of altering this formula, but only by increasing the subgrantee share. According to SPA officials, the commission voted to require the 75 percent/25 percent formula for most local projects in order to distribute funds more widely throughout the state, but was unable to alter the match formula for state projects because it was set by the general assembly. It should also be noted that the state buy-in required by the Safe Streets Act is included in the 75 percent Federal share allotted to local projects. Although all of the local planners and several county and city officials vehemently complained about the inherent inequity of the matching requirement, no consensus could be reached as to the fiscal impact of the 25 percent match as opposed to the 10 percent match. Some thought that the 25 percent match requirement forced local elected officials to make a real commitment to their projects. Others believed that they could more innovatively and effectively deal with their crime problems with a lower match level because more projects could be undertaken. In either case, it was agreed that the required match level should be the same for state and local projects.

The second technical issue concerns an alleged inequity in the unwritten KCC continuation policy that was superseded by the policy adopted in March 1975. Regional and local officials complained that until the adoption of a formal position on continuation, the KCC would support state projects indefi-

Table 16

Continuation Projects By Recipient and Years of Continuation

	Four Years	Five Years	Six Years	Seven Years	Total
State	8	1	3	2	14
County	5	0	1	0	6
City	0	0	0	0	0
Other	1	1	0	0	2
TOTAL	14	2	4	2	22

Source: FY 1976 Kentucky planning grant application.

nitely but would only fund local projects for three years. According to the FY 1976 planning grant application, only eight of the 22 projects that had been funded for four or more years were local.[15] 304 Table 16 shows the number of projects continued for four or more years classified by type of recipient. Included in this group is the grant that supports the Louisville CJCC and several projects operated by state agencies "for local benefit."

Most of this dichotomy in the practice of continuation funding can be traced to the events surrounding the last budget cycle. The FY 1976 planning grant application indicates that state agency projects were presented to the 1974 general assembly for total funding. When full appropriations were not forthcoming, the KCC decided to continue Federal support rather than drop what they considered to be worthwhile programs.[16] Because most state projects did receive some appropriations, the Federal funding required to continue a project at a level of 100 percent was usually much less than the 90 percent maximum Federal support. Top officials in both the legislative branch and the Department of Justice indicated that the general assembly had adopted the Department of Justice budget intact and that the decisions to partially assume costs were made in the executive department of Finance and Administration, even though the Department of Justice recommended full assumption. Because the executive budget document was prepared with the amount of Federal and state funds prescribed for these state agency projects, the general assembly locked the KCC into a particular funding level when it adopted the executive budget.

The third complaint concerned the designation "for local benefit" of many state-operated projects, and the counting of these projects toward compliance with the variable pass-through requirement. These criticisms are weakened by the acknowledged benefits derived by localities from these projects, such as the KLEPF program. Regional and local officials resent the option exercised by the state in counting these programs as local and fear a continued growth in this type of project with a consequent decline in strictly local programming.

Finally, regional and local officials believe that the grant review procedures between state and local applications are inequitable. Most of the regional planners and several local elected officials believe that the SPA staff and the KCC gave a much more rigorous review to local applications than to state applications. Most of this resentment is due to the belief that the KCC pays no attention to RCC recommendations and comments. The SPA staff indicated that as long as the RCCs endorsed every application that came before them, the KCC would be obligated to perform a rigorous review. At the same time, the SPA staff did not consider the situation to be inequitable because of the informal in-depth review of fiscal, planning, and technical considerations and negotiations occurring between the state agencies and the SPA staff prior to formal application submission. Because of the pre-submission review and the ease with which state agency programs are identified in the plan, the formal review of state agency programs could appear to be less rigorous than the review of local applications.

Fiscal Issues

Despite the complaints made about the subgranting process, every regional and local official indicated that his or her jurisdiction has received its fair share of the Safe Streets funds awarded in Kentucky.

Several, however, complained that programs that they initially identified to the KCC as needs were not funded. Even though Kentucky does not use any distribution formula, Table 17 reflects the total amount of action funds awarded in each region from 1969 to 1975 and the variables of crime and population that are often used in distribution formulas of other states to approximate local need and the magnitude of the crime problem. If the KCC had used a crime and population formula, the urban regions would probably not have received as much funding. This is probably the reason that everyone interviewed in the urban region visited thought that their region had received its fair share. On a functional basis, every criminal justice specialist believed that his or her function needed more Federal, state, and local funding, but only court-related personnel believed that the adjudicative function had been severely overlooked.

Overall, Kentucky is conservative in fiscal matters, as evidenced by the low taxes assessed throughout the state. Most officials who were interviewed were suspicious of Federal funds because of the potential impact on the budgets of their jurisdiction or agency. All subgrantees interviewed stated that they would prefer to have new programs funded by regular state or local revenues due to the uncertainty of Federal dollars. As previously stated, several indicated that the 25 percent hard match requirement was desirable because it forced executive and legislative officials to make an initial and substantial commitment to the projects that they would support.

One phenomenon discussed at both the state and local levels is the growing reluctance to apply for LEAA funds because of the multitude of administrative requirements, such as detailed financial reporting and a prescribed system of accounting. Several officials at the KCC and in local government expressed concern that the overhead costs incurred in meeting these requirements had caused them to apply only for large grants. Because of the great administrative burden, many officials characterized the Safe Streets block grant program as similar to categorical grants. Several were considering not applying for further criminal justice block grants.

When asked which type of Federal assistance they would prefer, officials in rural localities all indicated a desire for general revenue sharing (GRS) or special revenue sharing. Officials in the urban region thought either that LEAA should be giving a direct

Table 17

Kentucky
Regional Distribution of Awards, Population and Index Crimes

Region	Total Award FY 1969-1975		1970 Population		1971 Crime Index	
	Number	Percent	Number	Percent	Number	Percent
Purchase	637,501	4	167,370	5	2,013	3
Pennyrile	433,613	2	176,201	5	2,170	3
Green River	791,305	5	179,613	6	2,772	4
Barren River	[illegible]7,562	4	185,827	6	3,013	5
Lincoln Trail	275,395	2	175,253	5	1,519	2
Jefferson	189,098	1	81,523	3	1,014	2
Northern Kentucky	235,327	1	72,887	2	1.101	2
Northeast	430,773	2	228,139	7	2,114	3
Louisville-Jefferson	6,200,863	37	695,055	22	26,173	41
Campbell-Kenton	2,990,989	18	217,941	7	6,071	10
Big Sandy	111,879	1	134,307	4	929	1
Kentucky River	149,652	1	106,700	3	1,078	2
Cumberland Valley	184,006	1	184,468	6	1,745	3
Lake Cumberland	863,082	5	141,071	4	1,108	2
Bluegrass	731,960	4	283,239	9	3,537	6
Lexington-Fayette	2,075,599	12	174,323	5	6,863	11
TOTAL	$16,928,513	100				

Sources: Ohren, p. 192; population data from U.S. Department of Commerce, Bureau of the Census, *1970 Census of Population and Housing*, and Final Report, Kentucky, July, 1971; crime index (constitutes offenses known to the police in seven categories—homicide, forcible rape, robbery, assault, breaking and entering, larceny-theft, auto theft) from Commonwealth of Kentucky, *Crime in Kentucky, 1971;* award information, see Appendix 4, p. 312.

block grant to urban areas or that the state should give a "mini block" to the three urban regions. The difference between the rural and urban preferences is the result of the difference in how the utility of planning is perceived in rural and urban areas. In both cases, rural and urban respondents agreed that they wanted more control over funding decisions and fewer of the restrictions that result from state or Federal guidelines and policies.

Impact of Safe Streets Funds

Most of the officials who were interviewed believed that the Safe Streets program has at best marginally reduced the pace of crime rate increase and that a much greater reduction should not be expected. Many, however, believed that the program could achieve some positive impact in the future if greater attention were given to crime prevention programs. At the same time, several others noted that LEAA funds could never reduce crime and should not be expected to do so.

Despite the overall lack of confidence in the ability of the Safe Streets Act to substantially decrease crime, all interviewees asserted that the program had improved the criminal justice system. While most cited specific projects supported with Safe Streets funds, improved coördination and cooperation between system components was also mentioned as a major catalyst for improvement. LEAA contractual technical assistance was also praised as enhancing system capabilities.

SUMMARY OF MAJOR ISSUES

As previously indicated, Kentucky was selected as a case study state primarily because of the position and responsibilities of the SPA within the Department of Justice. National interest in the Kentucky approach emanates from two major factors that professionals in the field of criminal justice planning have identified as stumbling blocks to effective criminal justice planning. First, Safe Streets funds constitute less than six percent of total state and local expenditures for criminal justice. According to the findings of the National Advisory Commission on Criminal Justice Standards and Goals, the greatest "deficiency" of the SPAs' planning documents was that they only specified the uses of Safe Streets funds and other Federal monies.[17] Criminal justice planners have concluded that their impact on crime and criminal justice problems will be small as long as efforts are limited to the allocation of Federal dollars. Standard 1.2 of the National Advisory Commission's work on the criminal justice system recommends that state and local governments develop "mechanisms for introducing the analyses and recommendations of criminal justice planning agencies into their budget process."[18] Others would go further and promote criminal justice planning agency control over the budgets of operating criminal justice agencies.

The second major stumbling block that is closely tied to budgetary impact is the lack of SPA authority over policies and programs not directly related to Safe Streets. For example, few, if any, are in a position to impact on the personnel policies of local police departments unless Safe Streets funds are involved. At the same time, these personnel policies may be counterproductive in the effort to improve police performance. Although few criminal justice planners propose state government intrusion into local functions such as the one described above, some do believe that overall criminal justice policy and program review, such as that involved in the planning process, should be a function of criminal justice planning agencies for their own level of government.

As originally envisioned, the reorganization of criminal justice functions in Kentucky was designed to overcome these obstacles. In comparison with other states, Kentucky possessed two characteristics that helped to ease the problems of undertaking this experiment and to increase its potential impact—a weak state legislature and a comparatively high level of state fiscal and operational responsibility for criminal justice activities in relation to the localities. The consolidation of most of the criminal justice activities under the umbrella of the Department of Justice during the overall state government reorganization provided the structure for an integrated approach to criminal justice. Under the original proposal, the Executive Office of Staff Services, particularly the Division of Planning and Budgeting, which also performed all Safe Streets functions, was to be given both the responsibility for and the authority over departmental budgeting and planning.

As often occurs, difficulties were encountered in implementing the proposed reorganization of Kentucky's state criminal justice functions, especially those functions related to planning and budgeting. Although officials of the Department of Justice continue to be optimistic about their ability to integrate planning and budgeting for the department, the reorganization of March 1975 was formal recognition that, for a variety of reasons, the integrated planning and budgeting approach had not been and could not be implemented in the immediate future.

The recent reorganization did not do as much to actually change the budgeting process as it did to formalize operating arrangements because most budget functions had remained with the formally independent bureaus and any oversight activities had been performed directly by the Office of the Secretary. The EOSS budget function consisted of providing general budget guidelines to the bureaus and compiling the bureau budgets into a departmental budget. The inability of the Division of Planning and Budgeting to integrate planning and budgeting was due more to the difficulty of bringing the formally independent agencies under one umbrella department and initiating a program budget than to the difficulties of integrating planning and budgeting.

Because the Division of Planning and Budgeting had not done any planning for the bureaus of the department and was considered by many of those interviewed to be only an allocator of Federal dollars, there was much support built for its retention. The inability to plan and budget for the bureaus was also attributed to the fact that the division had produced three plans in 18 months and had spent much of the remaining time responding to LEAA requirements and requests. This occurred despite the intention of the department to avoid the monopolization of staff time and energy by LEAA-related business.

Whether the Executive Office of Staff Services will ever be able to integrate planning and budgeting and perform planning for all of the bureaus of the Department of Justice is uncertain, owing to several factors. First, the overall reorganization of the formally independent agencies into an umbrella department has not been readily accepted by agency officials. According to several sources, the continued antagonism of the bureaus toward the Department of Justice concept and the inability to develop departmental capabilities for budgeting and planning has kept the bureaus fairly independent. This situation is aggravated by the actual selection of most commissioners by the governor; he allows "his" appointees direct access to his office. Therefore, the secretary of justice has had to walk a tightrope in order to secure bureau commitment to the Department of Justice. Secondly, the personal style of the secretary of justice is seen by many as an important factor in the operation of the department. Everyone interviewed spoke highly of the secretary and his administrative capabilities. Finally, the animosity generated by the KCC in the state agencies prior to the reorganization has not completely dissipated; this encourages the state agencies to keep the SPA staff out of their business. In the field team's judgment, any prediction of whether the Department of Justice will have an integrated planning and budgeting system and centralized planning must wait until the dust has a chance to settle from the reorganization and a change occurs in the department's top management, thus neutralizing the effects of the current secretary's personal leadership.

During the field visits to Kentucky, several issues were raised concerning the value of integrated and comprehensive criminal justice planning and budgeting, especially as it had been implemented in Kentucky. First, a fundamental part of the Kentucky model is the consolidation of most state criminal justice functions under an umbrella department. Historically, the components of the criminal justice system have been fragmented due to differences in function and philosophy. Critics contend that the components should remain totally separate and independent in order to preserve the differences that were intended to promote justice and limit power. Such consolidation is perceived as very dangerous by some because it can lead to repression rather than to justice. In Kentucky, the concentration of power over criminal justice agencies has yet to prove detrimental. The bureaus within the Department of Justice have remained fairly independent, thus diluting any real concentration of power.

Second, some observers say that the constitutionally required exclusion of the judicial branch from the integrated planning and budgeting structure of the Kentucky Department of Justice inhibits a true integration of the criminal justice system at the state level. Many proponents of the Department of Justice concept do not find this exclusion to be detrimental to integrated planning because they concur with the separation of powers doctrine because they believe that the executive components of the criminal justice system are enough to plan for. Even the development of a separate planning capability in the courts does not satisfy those who want a completely integrated criminal justice system, although a unified court system is considered by many to be needed in Kentucky.

Third, the model places great emphasis on planning at the state level but, according to some, does not adequately address local needs. The equity issues discussed above are symptomatic of the concern of localities that the new organization of state criminal justice agencies, on including the SPA under one department headed by a secretary who is also chairman of the supervisory board, gives all power and attention to the state agencies. Even though the amount of Safe Streets funds going to localities has not decreased since the reorganization, the localities believe that inequities between state and local projects result in funding disparities. At the same time, the Kentucky model does not address the impact of local expenditures on criminal justice problems within the state. Kentucky has a relatively high state/local expenditure ratio compared with other states; thus the Kentucky Department of Justice plans for a considerably greater proportion of the state's criminal justice activities than do similar departments in most other states.

Finally, many of those interviewed expressed concern that by becoming a part of the administrative arm of an umbrella department, the SPA could no longer be the "gadfly," "advocate for change" or "innovator" that it was when independent. They expressed concern that the structural change had made the agency more bureaucratic. It is apparent from reviewing the publication dates on many of the KCC manuals and procedures, however, that this trend toward increasing routinization had begun before reorganization. Although a potential for increased bureaucraticization does exist under a Department of Justice concept, the increased paperwork in Kentucky about the time during and subsequent to the reorganization was due to a national move towards greater accountability in the Safe Streets program.

Altogether, Kentucky has not yet overcome the major stumbling blocks to integrated comprehensive planning. In fact, most planning activity is still concentrated on the allocation of Safe Streets funds within the state. Further experience in Kentucky under the Department of Justice concept and additional implementation of similar efforts in other states will be needed to determine the feasibility and desirability of integrated comprehensive planning and budgeting.

FOOTNOTES

[1] U.S. Department of Commerce, Bureau of the Census, *1972 Census of Governments*, vol. I: *Government Operations* (Washington, D.C.: Government Printing Office, 1973), p. 25.

[2] U.S. Department of Justice, Federal Bureau of Investigation, *Crime in the United States 1973: Uniform Crime Reports* (Washington, D.C.: Government Printing Office, 1974), p. 69.

[3] National Advisory Commission on Criminal Justice Standards and Goals, *Criminal Justice System* (Washington, D.C.: Government Printing Office, 1974), "Standard 1.2," p. 20.

[4] Much of the information presented in this section was developed from the "Existing Systems Description" of the *FY 1975 Kentucky Comprehensive Law Enforcement Plan*.

[5] Much of the historical information contained in this section was developed from the Ph.D. dissertation by Joseph F. Ohren, "Intergovernmental Relations in Law Enforcement: State Implementation of the Safe Streets Act," 1975.

[6] Joseph F. Ohren, "Intergovernmental Relation in Law Enforcement: State Implementation of the Safe Streets Act" (Ph.D. dissertation, Syracuse University, 1975), p. 55.

[7] *Ibid.*, pp. 61, 68.

[8] These conclusions were drawn from a comparison between information contained on p. 72 of Ohren's dissertation and that contained on p. 7 of the *FY 1976 Kentucky Planning Grant Application*.

[9] *FY 1976 Kentucky Planning Grant Application*, Attachment A, Appendix I., p. 22.

[10] Ohren, p. 95.

[11] Much of the information in this section was developed from the *FY 1976 Kentucky Planning Grant Application*, pp. 163-166.

[12] *FY 1976 Kentucky Planning Grant Application*, pp. 163-164.

[13] Ohren, p. 123.

[14] *FY 1976 Kentucky Planning Grant Application*, p. 242.

[15] *Ibid.*, pp. 342-350.

[16] *Ibid.*

[17] National Advisory Commission on Criminal Justice Standards and Goals, *Criminal Justice System*, p. 10.

[18] *Ibid.*, p. 20.

APPENDIX 1

Kentucky Site Visits

Much of the information reflected in this case study was developed during a field trip to Kentucky conducted June 9-20, 1975. The case study team conducted a total of 42 interviews at the state, regional and local levels. Because of the rural and urban extremes in the state, interviews were conducted in the Louisville/Jefferson County urban area, in the medium size city of Ownesboro, and in four primarily rural regions. A complete listing of the interviews conducted to develop this case study follows.

Interviews Conducted in Kentucky

State

- Kentucky General Assembly
  - P. Joseph Clarke, Jr., Chairman
    - Interim Committee on Appropriations and Revenue
  - David Karrem-Chairman
    - Interim Committee on the Judiciary
- Kentucky Court of Appeals
  - Scott Reed, Chief Justice
- Department of Justice
  - Henri L. Mangeot, Secretary
  - Truett Ricks, Commissioner of State Police
  - Bert Hawkins, Administrator, Executive Office of Staff Services
    - Mike McCoy, Director, Division of Planning
      - Jim McClaren, Planner
      - Joe Maloney, Planner
    - Ron Bixler, Director, Division of Technical Services
      - Mary Curtain, Director of Evaluation
    - Scott Hankla, Acting Director, Division of Budget

Regional and Local

- Louisville Regional Crime Council
  - Ernie Allen, Executive Director
  - Staff – Ron Pregliasco
    - Tina Showalter
    - Dee Hill
    - Wilbur Hacket
    - Terry Wurmser
    - Donna Davenport
- City of Louisville
  - Harvey Sloane, Mayor
    - John Nevin, Chief of Police
  - Benjamin Shobe, Judge, Police Court
  - Creighton Mershon, Alderman
- Jefferson County
  - Russell McDaniel, Chief of Police
  - Penelope Gold, Federal Program Coordinator
- Other
  - Edwin Schroering, Commonwealth's Attorney
  - Robert Benson, State Representative
    - Member of LRCC
- Jefferson Regional Crime Council
  - Jack L. Scriber, Executive Director
- Barren River Regional Crime Council
  - Robert Hunter-Executive Director
    - Warren County
      - Barril Griffin, County Judge
      - Sewell White, County Jailer
    - Other
      - Morris Lowe, Commonwealth's Attorney
- Green River Regional Crime Council
  - John Bouvier, Executive Director
    - City of Owensboro
      - Richard McDaniel, Captain, Owensboro Police Department
      - Max Rhoads, City Manager
      - Jack Fisher, City Commissioner
- Lincoln Trails Regional Crime Council
  - Mike Abell, Director
    - City of Radcliff
      - Joseph B. Hutcherson, Mayor
      - John Farrelly, Chief of Police
    - City of Vine Grove
      - James Stovall, Mayor
    - Hardin County
      - R. R. Thomas, County Judge
    - Poreckenridge County
      - James T. Stinnett, County Judge (RCC Chairman)

Other

- Kentucky Association of Counties
  - Jerry Frocht, Executive Director
- LEAA Federal Regional Office – Atlanta, Ga.
  - Ron McQueen, Kentucky Representative

APPENDIX 2

Distribution of Direct Criminal Justice Expenditures in Kentucky FY 1972-1973

(In Thousands)

	State	City	County	Total Local	Total
Police protection	17,600	29,281	10,956	40,237	57,837
Percent	42.4	91.0	44.5	70.8	58.3
Judicial	5,488	1,052	6,493	7,546	13,034
Percent	13.2	3.3	26.4	13.3	13.3
Legal services and prosecution	1,518	1,229	1,856	3,085	4,603
Percent	3.7	3.8	7.5	5.4	4.7
Indigent defense	166	13	265	278	444
Percent	0.4	—	1.1	0.5	0.5
Correction	15,707	590	5,043	5,633	21,340
Percent	37.8	1.8	20.5	9.9	21.7
Other	1,060	15	15	30	1,090
Percent	2.6	—	0.1	0.1	1.1
TOTAL	41,539	31,181	24,629	56,810	98,349
Percent	100	100	100	100	100
Percent of TOTAL	42.4	32.7	26.0	58.7	100

Source: U.S. Department of Justice and U.S., Department of Commerce, *Expenditure and Employment Data for the Criminal Justice System 1972-73* (Washington, D.C.: Government Printing Office, 1975), pp. 32-33.

APPENDIX 3

Distribution of Planning Funds in Kentucky by Region
FY 1969-1975

Regional Crime Council (RCC)	1969	1970	1971	1972	1973	1974	1975	TOTAL
Purchase	$6,294.63	$6,662.86	$8,301.15	$15,634.00	$21,610.00	$18,500.00	$25,236.00	$102,238.64
Pennyrile	5,928.21	6,190.11	7,787.26	15,145.00	22,048.00	22,000.00	25,590.00	104,688.58
Green River	6,894.94	7,429.62	9,127.95	16,729.00	23,725.00	24,000.00	27,985.00	115,891.51
Barren River	6,665.18	7,135.03	8,809.32	17,567.00	24,397.00	21,630.00	31,024.00	117,227.53
Lincoln Trail	6,001.58	6,284.19	7,889.02	14,606.00	20,473.00	15,219.00	25,806.00	96,278.79
Jefferson	5,409.53	5,525.08	7,067.95	13,296.00	18,826.00	16,826.00	23,855.00	90,805.56
Northern Kentucky	5,342.12	5,438.65	6,974.46	13,425.00	19,068.00	16,000.00	23.736.00	89,984.23
Northeast	6,388.18	6,779.88	8,425.17	15,367.00	21,890.00	21,890.00	34,000.00	114,742.23
Louisville	27,608.98	33,988.40	37,852.27	---	---	---	---	122,732.65
Campbell-Kenton	9,815.30	11,174.00	13,178.00	23,091.00	32,920.00	33,000.00	45,316.00	168,494.30
Big Sandy	5,728.80	5,933.16	7,509.33	13,227.00	18,589.00	10,000.00	21,654.00	82,641.29
Cumberland Valley	6,008.28	6,292.42	7,897.93	14,505.00	20,863.00	22,536.00	25,244.00	103,346.63
Kentucky River	5,612.77	5,784.39	7,348.42	12,971.00	19,004.00	15,900.00	25,706.00	92,326.58
Lake Cumberland	5,737.89	5,946.09	7,523.32	13,265.00	19 713.00	23 616.00	26,400.00	102,201.30
Blue Grass	6,424.87	6,826.92	8,476.05	17,961.00	13,990.00	24,000.00		77,678.84
Lexington-Fayette	9,998.74	11,409.20	13,432.40	25,572.00	35,127.00	21,200.00	35,553.00	152,292.34
Part B planning funds received by SPA	314,650.00	347,000.00	419,000.00	561,000.00	809,000.00	809,000.00	889,000.00	4,148,650.00
Total amount of pass-through	125,860.00	138,800.00	167,600.00	242,361.00	338,243.00	323,600.00	397,105.00	1,733,571.00
Percent of funds passed through to RCCs	40%	40%	40%	43.2%	41.8%	40%	44%	41%

Source: Kentucky Crime Commission.

APPENDIX 4

Distribution of Action Funds in Kentucky by Region
FY 1969-1975

Region	1969	1970	1971	1972	1973	1974	1975	Total
Purchase	$ 14,727	$ 70,402	$ 108,042	$ 140,406	$164,243	$101,987	$ 37,694	$ 637,501
Pennyrile	8,208	93,739	36,233	104,293	127,536	26,306	37,298	433,613
Green River	—	139,260	164,228	197,825	85,589	114,194	90,209	791,305
Barren River	10,492	38,383	197,028	112,019	135,580	110,288	23,772	627,562
Lincoln Trail	10,800	58,875	36,518	53,264	22,640	19,166	74,132	275,395
Jefferson	12,553	23,903	23,581	72,017	8,100	38,850	10,094	189,098
Northern Kentucky	—	36,562	30,174	126,781	6,959	34,269	582	235,327
Northeast	2,066	66,489	65,692	165,573	85,590	22,500	82,863	490,773
Louisville-Jefferson	108,100	944,770	1,601,769	1,229,120	788,347	882,342	646,415	6,200,863
Campbell-Kenton	4,574	230,921	551,670	603,965	838,057	459,786	301,925	2,990,898
Big Sandy	—	50,224	5,680	4,801	27,324	22,050	1,800	111,879
Kentucky River	—	58,885	17,781	41,207	25,029	6,750	-0-	149,652
Cumberland Valley	1,615	26,817	—	54,319	63,287	32,218	5,750	184,006
Lake Cumberland	—	4,000	39,476	121,804	16,058	110,968	57,076	863,082
Bluegrass	19,102	36,784	187,704	169,792	50,380	232,086	36,112	731,960
Lexington-Fayette	34,338	289,840	545,230	249,423	770,439	136,450	49,879	2,075,599

Source: Ohren, p. 190, updated by the Kentucky Department of Justice.

Massachusetts

Massachusetts, the largest state in New England, had a population of 5,787,000 in 1973. It was the 10th most populous state in the union and had the 15th highest crime rate. In 1973, the index crime rate in Massachusetts was 4,521.

The field team of the Advisory Commission on Intergovernmental Relations (ACIR) selected the Bay State for study because the Massachusetts program—partly as a result of its consistent (until recently) leadership—represents a distinctive goal and strategy in the distribution of Safe Streets funds.

In implementing the Safe Streets Act, the administrators of the Massachusetts program (the state planning agency—SPA) made a number of clear and conscious choices: they chose a centralized approach to planning and decision-making; they chose to emphasize experimentation and innovation in the criminal justice system; and they chose to concentrate funding on a few large urban areas rather than to distribute the funds widely.

The field team believed that examination of the results of these strategies would provide information of value not only to officials of the Safe Streets program, but to all persons interested in Federal block grants.

In addition, the ACIR field team hoped to learn more about the effects of leadership turnover on the administration of the Safe Streets program by studying Massachusetts—where there was, in mid-1975, a convergence of a number of changes: a new governor, a new SPA chairman, and a new executive director of the SPA staff, and expansion of the SPA supervisory board's membership and role.

THE CRIMINAL JUSTICE SYSTEM

The rising U.S. crime rate is accurately reflected in Massachusetts, which has experienced its biggest increases in robberies, burglaries and auto thefts.

Law enforcement is mainly a local activity in Massachusetts. While the state provides correctional rehabilitation and parole services and operates the appeals, superior and supreme courts, the localities are responsible for most police, prosecution and probation services. In FY 1972-73, the local share of the budget for the criminal justice system was 71 percent; the state's share, 29 percent.

The Massachusetts court system is not unified. A Supreme Judicial Court, with a chief justice and six associate justices, is the administrative arm of the system and has discretionary appellate jurisdiction—and, in rare instances, original jurisdiction. Because of the supreme court's heavy case load, an appeals court was established in 1973; it consists of six justices serving as an intermediate appellate court. At the next level is a superior court, which acts as the major trial court, with 46 judges having jurisdiction over all civil and criminal cases tried in the district courts and appellate original jurisdiction for cases initiated in the inferior trial courts. The 72 district courts (including municipal courts) in Massachusetts have 66 full-time and 98 part-time judges, who hear one-half million civil and criminal cases a year. Supplementing this basic system are a separate municipal court in Boston, and juvenile courts in Boston, Worcester, Springfield and Bristol County. Judges of all courts are appointed by the governor. The Massachusetts court system is overcrowded and needs both better organization and more money. (Local governments made 80 percent of the judiciary expenditures during FY 1972-1973.)

District attorneys in Massachusetts play a particularly influential role in the Safe Streets program as a result of their membership, under statute, on the Massachusetts Committee on Criminal Justice (MCCJ), the supervisory board of the SPA. The 10 full-time district attorneys form an autonomous, closely organized group. Safe Streets funds have also supported lawyer-prosecutors in most of the 65 district courts as partial replacements for the police officers who formerly filled that role.

Probation services are decentralized and are the responsibility of the courts. The state commissioner of probation provides administrative and coordinating services—particularly in the areas of training, research, and assistance—to local probation departments.

The adult correctional system is primarily the responsibility of the Department of Corrections, which oversees eight correctional facilities and supervises various rehabilitative programs both inside and outside the institutions. With financial support from the MCCJ, the department has begun to develop a network of community-based facilities. In addition, each county has a house of corrections and a county jail; often the same facility is used. (The state accounted for 66 percent of expenditures for corrections during FY 1972-1973.)

The seven members of the Parole Board are appointed by the governor and have the power to grant and revoke parole. The use of parole has greatly increased in Massachusetts during the past 10 years. This has been primarily caused by changes in the parole board membership, although the support of Part E and Part C action funds from the MCCJ has been a contributing factor.

Recently, perhaps the most controversial component of the criminal justice system in Massachusetts has been juvenile rehabilitation services. Created in 1948 and reorganized in 1969, a Department of Youth Services is responsible for developing a program of delinquency prevention and juvenile services. The Division of Child Guardianship of the Office of Children and Welfare also plays a major role in providing children's services. From 1970 through 1973, the major juvenile-detention institutions were closed and, with the aid of Safe Streets funds, juvenile offenders were placed in smaller group homes, foster homes and other special programs. Concurrently, a regionalization program was implemented in order to bring juvenile services closer to the communities of the recipients.

THE STATE PLANNING AGENCY

Criminal justice planning at the state level in Massachusetts began in 1966 when an executive order established the Governor's Public Safety Committee. The following year, the legislature created the Governor's Committee on Law Enforcement and the Administration of Criminal Justice. The purpose of both committees was to conduct planning and research for criminal justice reform and prepare for anticipated Federal funding of such efforts. When the Omnibus Crime Control and Safe Streets Act of 1968 was passed, the two committees functioned collectively as the Massachusetts SPA.

A 1973 law combined the two bodies to form the Massachusetts Committee on Criminal Justice (MCCJ) and designated it the supervisory board of the SPA, in accordance with the Safe Streets Act and the Juvenile Delinquency Prevention and Control Act of 1968.

Supervisory Board

Until 1975, the chairman of the MCCJ—traditionally the attorney general—was appointed by the governor. A 1975 law required that the chairmanship be filled by the attorney general.

The MCCJ has 18 ex-officio members, representing the components of the criminal justice system, and 23 members appointed by the governor from categories specified by law (see Table 1). In 1973, the legislature increased the MCCJ's membership from 35 to 41, to allow greater representation of the legislature and the judiciary.

MCCJ members serve one-year terms. Members are permitted to send alternates to the committee's quarterly meetings, but proxy votes are not allowed.

The MCCJ carries out several legally defined responsibilities: determining policy, approving the state comprehensive plan and its subsequent revisions, advising staff on program content and implementation, and serving as the body of final appeal on procedural matters.

District attorneys constitute a substantial portion of the MCCJ membership (10 positions). A powerful unit in Massachusetts politics, district attorneys provide representation of county government on a committee that has not usually funded county programs.

The district attorneys were more organized than other functional areas represented on the MCCJ and comprised about one-third of the voting membership at most MCCJ meetings. During the tenure of the second executive director of the MCCJ (1970-1975), the district attorneys met with the administrator prior to meetings to discuss allocation of funds to their districts.

ACIR survey responses indicated that local officials thought that the district attorneys wielded the greatest influence on the MCCJ and that they were overrepresented on the supervisory body.*

None of the representatives of the various functional areas on the MCCJ complained about lack of representation. However, 13 of the local jurisdictions responding to the ACIR survey indicated that the police were underrepresented; eight others judged that the juvenile justice area and the public were inadequately represented on the MCCJ.

Interviewed members of the state's seven criminal justice development agencies (CJDAs)—the planning units for large jurisdictions in Massachusetts—said that the Boston area was overrepresented on the

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*In June 1975, ACIR mailed a questionnaire to all cities and counties with a population of 10,000, or more. By October 1975, 27 of the 39 Massachusetts cities and six of the 11 counties to which the survey had been mailed, had responded—a response rate of 69 percent and 54 percent, respectively.

Table 1

Functional and Jurisdictional Composition of the Supervisory Board of the Massachusetts Committee on Criminal Justice

October 1975

	Percentage
Functional	
Organization	
Police	17
Courts	10
Prosecution	29
Corrections	10
Juvenile delinquency	10
Public	10
Other	15
Jurisdictional	
State Government (subtotal)	32
Elected officials	7
Appointed officials	17
Other	7
County Government (subtotal)	27
Elected chief executive or legislative officials	0
Elected law enforcement officials	27
Appointed officials	0
City Government (subtotal)	15
Elected chief executive or legislative officials	7
Elected law enforcement officials	0
Appointed officials	7
Public	10
Other	17

Source: ACIR 1975 Safe Streets survey.

supervisory board and that the central and western parts of the state were inadequately represented. The same interviewees criticized the MCCJ, describing it as "just a group of politicians," too large a body to be effective and too eager to leave decision-making to their staff.

Contrary to the opinions of CJDA members, Boston has never been well represented on the MCCJ; only two officials of the city now sit on the supervisory board. Because Safe Streets funding has been directed to urban communities, Boston has not suffered in terms of apportionment. City representatives maintain, nevertheless, that Boston has not received its fair share of Safe Streets funds.

Small towns are not well represented on the MCCJ, a situation consistent with the SPA's policy of urban funding. Ten of the 31 respondents to ACIR's survey of localities thought that smaller jurisdictions were underrepresented on the MCCJ; 18 claimed that they had not received a fair share of Safe Streets funds.

Proposal Review Board

The Proposal Review Board (PRB), the ten-member executive board of the MCCJ, is appointed by the governor from the full MCCJ membership. The PRB, chaired by the attorney general, includes in its membership:

- a member of the legislature;
- a local chief executive officer or a selectman; 315
- a representative of the police;
- a representative of the courts;
- a representative of a prosecution or defense agency;
- a representative of the corrections, probation or parole departments;
- a member engaged in work with, or concerning, juvenile delinquents; and
- two of the ex officio members of the MCCJ who are not officers or employees of the commonwealth or of any of its political subdivisions.

The PRB evaluates all grant applications for Part C funding and recommends approval or disapproval of each to the full MCCJ.

Governor Michael S. Dukakis re-established the PRB—which had met infrequently from 1971 to 1974—to enable MCCJ members to review staff policy suggestions and grant applications prior to meetings of the full membership.

Advisory Bodies

Task forces of the MCCJ review applications, and staff recommendations thereon, and perform other advisory functions. There are seven task forces (police, courts, probation, corrections, juvenile justice, criminal justice systems, and evaluation) composed of experts in the field of criminal justice who were not members of the MCCJ.

Two other bodies serve in an advisory capacity to the MCCJ:

- **Organized Crime Control Council.** Chaired by the attorney general, this five-member committee develops an annual comprehensive plan for the prevention and control of organized crime in Massachusetts. The governor appoints council members to one-year terms. Quarterly meetings are held.
- **Juvenile Delinquency Advisory Council.** Members of this group are presently being appointed. The council advises the MCCJ on matters relating to juvenile justice, as required by the Juvenile Justice and Delinquency Prevention Act of 1974.

SPA Staff

The executive director of the SPA is appointed by the governor. There have been only three executive directors since the beginning of the Safe Streets program in Massachusetts: Sheldon Krantz (1967-1970); Arnold R. Rosenfeld (1970-1975); and Robert J. Kane, appointed in July 1975.

Stable leadership of the MCCJ, closely related to the stable leadership of state government, permitted a continuous development in the Safe Streets program that would not have been possible with frequent changes in leadership. This stability increased the influence of the MCCJ staff over the supervisory board and the grant recipients.

Until 1975, the staff of the MCCJ was located in the executive offices of the governor. Governor Dukakis placed the MCCJ staff under the authority of the secretary of public safety, who was designated as the governor's liaison with the MCCJ and was given authority to approve major staff recommendations before full committee review.

In May 1975, the MCCJ had a staff of 70 full-time persons, including 52 professionals and 18 clerical employees (see Table 2). The staff was organized into program and administration divisions.

Program Division

The deputy director for program manages planning, program development, systems engineering, evaluation, monitoring and the statistical analysis center.

Program Development

The seven program specialists on the Program Development Unit operate in the criminal justice functional areas of police, courts, probation, corrections, state juvenile corrections, local juvenile corrections, and drug and alcohol programs. According to an MCCJ publication, "the Program Specialists have the major responsibility for the quality and content of committee programs." Program specialists have had substantial influence on the program strategies adopted by the MCCJ and have exercised a significant control over funding decisions.

Planning

The four-person planning staff coordinates the annual planning process. Staff duties include: fact gathering, establishing a schedule to meet LEAA planning deadlines, preparing guidelines for the

Table 2

Staffing of the Massachusetts Committee on Criminal Justice
May 1975

Type of Employee	Full-time	Part-time	Monthly Payroll	Total SPA Positions
Professional/technical employees	52	1	$59,521	53
Clerical employees	18	0	16,686	18
Total monthly payroll	70	1	$76,207	71

Source: FY 1976 Massachusetts planning grant application.

CJDAs, receiving CJDA strategies—proposed projects to solve criminal justice needs—for the fiscal year's state plan, drafting policy statements and coordinating the various reviews of project applications.

Evaluation

The evaluation unit—a small technical staff—designs and implements evaluation studies of major MCCJ programs in cooperation with the grantees. The unit's activities, which include performing six to nine major evaluation studies each year, are funded with three percent of the total annual block grant allocation. Independent contractors perform the studies, under the direct supervision of the evaluation unit. The evaluations, quite rigorous in design, attempt to determine the extent of and the reasons for the success or failure of programs. The unit recently received a $250,000 discretionary grant to develop a model evaluation system. The proposed system calls for evaluation specialists to be placed in selected state criminal justice agencies and local jurisdictions.

Monitoring

The three-person monitoring unit, established in the fall of 1974, conducts short-term assessments of specific projects to determine to what extent the operations and results of the programs fulfill stated objectives. Specific recommendations for changes are made by the monitor. The unit has attempted to institute more formal data collection for specific projects by designing a monitoring report form and a quarterly report form.

The unit's staff completed 15 reports during the first half of 1975. With the probable addition of more personnel, this unit is expected to monitor 60 of the 200 annual grants. Each monitor is responsible for grants relating to particular functional components of the criminal justice system. The program specialists are responsible for follow-up monitoring reports and must submit written comments on project status within 90 days of the monitoring report's publication.

Administrative Division

The deputy director for administration has responsibility for auditing, grants management, internal administration, accounting and special projects.

Grants Management Unit

Nine grants managers are responsible for all financial and administrative aspects of the subgrant process. They review and evaluate applications, assist grantees, make on-site visits and clear audits. The unit has undergone major changes since January 1974, when the staff was expanded substantially to handle increased review responsibilities. The grants managers are each responsible for 50 to 70 projects and spend a substantial portion of their time reviewing requests for budget revisions.

According to several MCCJ staff members, administrative and program division personnel communicate little with each other. This situation may result from their different review responsibilities and their concern with different substantive areas, but it may also reflect a competition over who will have primary responsibility for a grant once it is awarded. The former executive director said that conflict and competition were exceptions rather than the rule in the MCCJ staff offices.

Relationship with the Governor

From 1969 to 1974, Governor Francis W. Sargent followed a *laissez-faire* policy with respect to the MCCJ. Because the governor and Attorney General Robert H. Quinn, chairman of the MCCJ, were of different political parties, they maintained a "hands off" policy regarding the MCCJ. They agreed not to compete publicly for control of the supervisory board, but to support the executive director's administration.

Governor Sargent allowed the executive director (Arnold Rosenfeld) considerable discretion. The governor agreed to keep the MCCJ staff in the executive offices, rather than to transfer it to the Department of Public Safety where it might have lost visibility and influence. The executive director kept both the governor and the attorney general informed about MCCJ issues. The governor, the attorney general and the executive director were in agreement on most issues.

Governor Sargent had a strong interest in juvenile justice and promoted MCCJ funding for reorganization of the state's juvenile corrections system under the Department of Youth Services. The former governor was also concerned with citizens' rights to privacy and security. Except for decisions regarding these two areas, the governor seldom evidenced interest in MCCJ policy. In the long run, this limited the impact of the MCCJ's planning and programs at the state level.

Soon after he assumed office in January 1975, Governor Dukakis began instituting fundamental changes in the MCCJ, including transfer of the MCCJ staff to the Department of Public Safety and the reactivation of the Proposal Review Board of the MCCJ. The governor replaced one-fourth of the committee membership and appointed Robert Kane—a lawyer formerly with the Massachusetts Defender's Committee—as executive director.

The new governor has adopted a cautious attitude toward the MCCJ by placing it under the jurisdiction of the Department of Public Safety, by waiting five months to appoint an executive director after Arnold Rosenfeld resigned, and by halting all new funding of state projects from January through March 1975, to evaluate MCCJ policies and projects in relation to the state budget. It is too early to tell how much Governor Dukakis will influence the MCCJ's decision-making process.

Relationship with the Legislature

According to the MCCJ staff, few Massachusetts legislators have been knowledgeable about the Safe Streets program in their own state. Until the 1975 fiscal crisis, however, the legislature annually provided more than the required 10 percent state match for Part B planning monies to support the MCCJ. Appropriations for this purpose increased from the minimum 10 percent required by LEAA in 1969 to a 37 percent match in recent years. Concern about the state's serious fiscal problems has promoted new legislative interest in the operation of the MCCJ and the state's assumption-of-cost responsibility for projects initially funded with Safe Streets monies.

Few legislators showed interest in specific MCCJ activities except during the controversy over the de-institutionalization of juveniles. Many legislators opposed the closing of all juvenile detention centers, between 1970 and 1973, and the use of Safe Streets funds to support the program.

The MCCJ's involvement in drafting legislation has been limited and sporadic. The committee proposed and worked for passage of security and privacy laws and a statute establishing the Criminal Justice Training Council. A new criminal code proposed by the MCCJ has not yet been adopted.

Most of the state's criminal justice agencies have close ties with the MCCJ. Some local officials resent the easy access to the MCCJ that state agencies enjoy.

Relationship with State Criminal Justice Agencies

Generally, the MCCJ regards state criminal justice agencies as "sister" agencies with whom they have worked to initiate innovative criminal justice programs. Planners in several state agencies have been funded by MCCJ and have worked closely with MCCJ staff; several former MCCJ staff members now work for state criminal justice agencies.

With the exception of probation personnel, most state agency spokesmen seem to be satisfied with their representation on the MCCJ and their allotment of Safe Streets funds.

CRIMINAL JUSTICE DEVELOPMENT AGENCIES

One of the distinguishing characteristics of the administration of the Safe Streets program in Massachusetts is centralized planning and funding—both a result of and a contributing cause of inadequate structures for local planning. In an effort to promote local planning capability, the MCCJ, in 1969, funded one town, five cities and four economic development agencies (EDAs) previously established by the Department of Community Affairs. (EDAs are voluntary, substate organizations, some of which cross county lines. They also serve as A-95 clearinghouses.) Because many counties and towns refused to join the EDAs, until recently regional boundaries have meant little. As a result, EDA funding did not guarantee balanced geographic distribution. However, in late 1974, the Department of Administration and Finance promulgated a system of standard substate regions; the boundaries of the EDAs were changed to ensure statewide coverage.

According to the 1975 state plan, "these agencies tend to favor projects in small towns at the expense of the larger cities, contrary to Committee policy." The MCCJ maintained that EDA staff members did not have adequate education and training in the criminal justice field.

The MCCJ staff decided that crime problems in a small, highly urbanized state like Massachusetts could be dealt with most effectively by a single state agency:

> The problems of the criminal justice sys-

> tem are statewide rather than peculiar to a particular area in the state. As a result, the emphasis of Committee Planning has been on making statewide improvements in such areas as police training . . . . This emphasis has resulted in corresponding de-emphasis of local planning.

They thought that the major population centers—with their high crime rates and extensive law enforcement and criminal justice responsibilities—were the logical recipients of the required 40 percent pass-through of Part B funds and of a high percentage of the Part C action money. Although several components of the criminal justice planning system in the state (the district attorneys, probation officers, the courts and county houses of correction) are organized and paid for by county governments, the MCCJ proposed to include these functions in regional programs implemented on a statewide basis.*

Based on these considerations, the MCCJ decided not to establish regional planning units (RPUs). Instead, in 197[illegible], the MCCJ's Metropolitan Area Development Unit (now part of the planning section) established seven criminal justice development agencies (CJDAs),** determined on the basis of a formula combining population, overall crime rate, violent-crime rate, incidence of poverty, and financial situation.

The CJDAs are agencies of city governments, responsible for one major jurisdiction. The operation of CJDAs is similar to that of RPUs in other states, which usually represent several jurisdictions. According to the Massachusetts 1975 plan, the CJDA staff has four major duties:

- to provide technical assistance;
- to make potential applicants aware of guidelines and to assist them in application development;
- to encourage cooperation and coordination among criminal justice functional agencies;
- to develop and submit reports on projects, including continuation and termination recommendations.

At the time of the field research, all the CJDAs except Boston had supervisory boards. Only one of them reflected compliance with the 51 percent membership requirement for locally elected officials on regional boards, but the requirement did not apply to the six individual municipalities receiving Part B funds. The CJDA boards (with the exception of the Cambridge/Somerville regional board) were started by local officials and lacked consistency in structure, policy and selection of members.

- Boston had an advisory board until 1972, when it was abolished because of conflict over distribution of the Part C allotment. The MCCJ and city officials agreed that a supervisory board was necessary only if it could be fully utilized by the city. Since the city council reviewed Safe Streets projects, an additional structure was unnecessary.
- The 11-member CJDA board in Worcester is chosen by the city manager, with the mayor's concurrence. According to an administrative assistant for the city, the CJDA board is a "paper one with no real power for the past two years." Only in 1975 did the board begin to evaluate grants and to hear citizen views on community priorities. Yet, during the first half of 1975, the board had not vetoed any applications.
- The New Bedford board serves only as a community link and does not vote on grants.
- One of the most unusual CJDA boards, the Springfield Development Board, which reviews social service-related, federally-funded projects, also serves as an advisory body to the Criminal Justice Board. The chairman of the former body is also a member of the Criminal Justice Board. In the competition for Part C funds, this group has exercised progres-

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*This policy was based on the overall philosophy that metropolitan areas have the most crime and, therefore, the greatest need. Also, county government in Massachusetts is almost non-functional, having only those powers awarded it by the legislature. Counties also have no tax base. In the words of the former executive director of the MCCJ, it is a "total waste" to put money into small counties.

** The first CJDAs were Boston, Worcester, Springfield, New Bedford, Cambridge, Chelsea and Lynn. Chelsea was displaced in 1972 by Fall River, and the Cambridge CJDA has become a regional unit incorporating Somerville, Arlington and Belmont.

sively greater influence in determining which applications will be submitted to the MCCJ.

- In Cambridge, the agency with the most active board members are so discouraged about their lack of influence that they were considering resigning or dissolving the board at the time of the field research. As one member commented, "the Committee members have no process for using local initiative. State timing and deadlines preclude local involvement and there is no evidence that the Board's opinion is sought or used by the MCCJ."

The director of each CJDA is responsible to the chief executive (city manager or mayor) of the grantee city; the staff is employed by the city. The Mayor's Office of Criminal Justice, in Boston, is the
320 largest CJDA staff, with 27 members. Worcester's staff although the second largest, is only one-fifth the size of Boston's. All the other CJDAs have a staff of four—except Lynn, which has only three (see Appendix 3, p. 341).

Generally, the local officials interviewed were dissatisfied with the weak position of the CJDAs relative to the MCCJ. Some CJDA boards meet infrequently and devote most of their time to discussion of their own needs and ideas for future funding. They do not expect to have much impact on MCCJ decisions.

MCCJ officials said that, with a few exceptions, the input received from CJDAs has been inferior, unimaginative and of little practical help. The issue of the CJDAs' role is gaining attention as state and local revenues become increasingly scarce.

SAFE STREETS PLANNING

Criminal justice planning at the state level in Massachusetts was underway before passage of the Safe Streets Act in 1968, under the auspices of the Governor's Public Safety Committee and the Governor's Committee on Law Enforcement and the Administration of Criminal Justice. There were no regional or local criminal justice planning organizations.

Safe Streets planning in Massachusetts has changed continually since 1968, as improved methods of implementing MCCJ policies were developed. At the time of the field research, planning procedures were again in transition, under a new executive director of the MCCJ.

The initial Safe Streets planning program in the commonwealth was loosely structured. The first state plan was a list of funding categories developed by the MCCJ staff's program specialists and the executive director. It reflected little local input, a precedent followed until 1974. The final state plan—a list 100-categories long—was distributed to state criminal justice agencies, EDAs and some localities, which developed applications in accord with MCCJ funding criteria. After proposing a specific sum for each application, the staff forwarded all of them to the MCCJ for approval.

The 1969 action grant, amounting to $665,500 (less than one percent of the state's total criminal justice budget that year), called for little systematized planning. Grants were awarded on a competitive basis, with no formula for allocating the Part C money by jurisdiction or functional area.

The MCCJ staff considered the results discouraging. The EDAs were largely inexperienced at criminal justice planning and were not aware of the objectives of the Safe Streets program. According to the MCCJ staff, the EDAs planned poorly, showing concern for their own needs only and ignoring large urban areas and the need for unification of the criminal justice system. Most of the early applications were requests for equipment and personnel.

The MCCJ staff was eager to support system change, demonstration projects and model criminal justice programs, but unless a state or local agency could be persuaded to undertake such projects, funds could not be allocated.

This early Safe Streets planning process set the precedent for centralized planning in Massachusetts. The staff of the MCCJ, with supervisory board approval, identified needs within priorities for the criminal justice system as well as the general design of many action programs. Local governments were dependent on the MCCJ staff to identify priorities and determine the amounts of funds available for each category.

The next year, the MCCJ attempted to include the large cities in the planning process and to bypass the EDAs by using nine funding criteria that were heavily weighted in favor of large urban areas. The distribution formula awarded primary funding status to communities meeting six of the nine criteria, secondary status to those meeting three to five of them.

Incorporating both crime data and demographic information, the nine criteria were used to identify recipients of Part B planning money and prime applicants for Part C funds. The following list summarizes the criteria for funding status used in 1970.

1. Population – cities and towns with population of more than 75,000 (12 cities).
2. Crime rates – the average five-year crime rate more than 2,500 for 200,000 people (seven cities).
3. Number of crimes – more than 2,000 per year (11 cities).
4. Juvenile cases – all cities and towns with more than 700 juvenile cases annually (six jurisdictions).
5. Poverty indicators – various indicators were used for cities of more than 50,000 (19 cities, plus Chelsea where the crime rate was 3,000 per 100,000 persons).
6. Population density – cities with concentrations of 100,000 or more persons a square mile (seven cities).
7. Housing conditions – communities where more than 14 percent of housing stock was dilapidated or deteriorating (nine cities).
8. Annual income – communities where more than 20 percent of the households received less than $5,000 in annual income (14 cities).
9. Model Cities participation – (nine cities).

In 1970, the primary cities were Boston, Worcester, Springfield, New Bedford, Cambridge, Chelsea and Lynn; awarded secondary status were Fall River, Somerville, Brockton, Brookline, Lowell and Lawrence.

The formula was the only funding standard used by the MCCJ, even though it applied to only a few cities and to none of the state criminal justice agencies. MCCJ approval of priority cities was required.

After the appointment of Arnold Rosenfeld as executive director of the MCCJ in 1971, the scope of the planning effort was changed again. The Metropolitan Area Development Unit of the MCCJ staff established the seven CJDAs according to the same priorities used in 1970 to determine primary cities. The CJDAs were intended to receive the planning money and the bulk of the action funding. By 1971, the EDAs and small towns had been almost completely excluded from the planning process.

Urban areas benefited further from a new funding policy according to which nearly half of the annual block grant was set apart for non-competitive funding. The MCCJ staff was able to control the distribution of these funds by specifying what state agencies should develop what programs in what localities. (These agencies were informed by their program specialist about the amount of funds available within each category.) The other half of the Part C funds was awarded competitively, according to program area. Even with these funds, the MCCJ could influence distribution because staff recommendations strongly influenced committee decisions.

The new procedures for Part C funding facilitated the planning process. Instead of writing categories for the annual action program and then distributing them to agencies, program specialists first went into the field to find agencies and jurisdictions willing to establish projects that the executive director and staff of the MCCJ were promoting. The executive director (at that time) explained, "If the locals were not willing to go along with our priorities, we would not deal with them. If the cities were left alone, they would fund just a few basic needs, such as police cars, radios, and construction rather than the more basic problems facing those departments."

Based on their preliminary investigations, the program specialists wrote a description of the projects to be funded, within their program area, for the state plan. The executive director and the program specialists debated the merits of proposed projects and the amount of money to be allocated to each one.

The executive director's choice of projects was influenced by his own priorities and "political" balancing considerations. Although he could determine priorities, the executive director could not preclude funding of other functional areas without the risk of alienating receptive MCCJ members. The program specialists' authority to initiate projects was curbed by the executive director's need to maintain a balance among the different functional areas.

After the review sessions with the executive director, the program specialists submitted project lists to the planning staff, who incorporated them into the state plan. The MCCJ approved the plan and all non-competitive project applications.

Applications submitted after plan approval often differed in amount and objectives from the projects negotiated by the program specialists. The executive director frequently rejected projects that did not concur with the description in the plan. Often, however, a program specialist would redefine activities to be undertaken in a project with the grantee rather than reallocate the money.

In the opinion of many interviewees, the 1971 planning/funding process had several drawbacks.

- Information sent to applicants after the plan was approved was couched in vague program descriptions developed for LEAA. The applicants assumed their projects were going to be funded because they were in the plan, and hence spent little time on the formal application. The application did not require in-depth definitions, descriptions of goals and objectives or, in some cases, identification of the project director. As a result, there was no way of gauging the success of projects. Program specialists spent little time checking progress. Furthermore, there was no monitoring unit at this time, so quarterly reports were not reviewed by program specialists, only by the grants managers. As more and larger projects were funded, the grants managers had less time for programmatic reviews. Often, program specialists relied only on a quick on-site review in preparing a conuation-of-funding report.
- The small, rural towns which had been funded in 1969 and 1970 were eliminated from the planning process. No longer were they consulted as to their perceived needs, nor were they funded unless they worked in concert with a CJDA. In addition, the extent of local CJDA involvement with the plan was determined by the MCCJ staff. Sometimes the program specialist bypassed the CJDA and dealt with local agencies directly to promote projects, regardless of CJDA opinion.
- Comprehensive planning did not exist. Although project specialists were concerned with innovative changes in the total system, each concentrated primarily on his own program area. They did not write formal plans for their areas, but instead collated verbal project agreements into program descriptions.

In 1974, the MCCJ began to evaluate funded projects more carefully, to terminate unsuccessful projects and to divert the released funds to new activities. (Lack of an assumption-of-cost policy made such a transfer of funds essential.) One major addition was a Monitoring Unit that was to work with the MCCJ planning staff to develop a new application form and new review procedures. Applications were now reviewed by the Grant Management and, to a lesser degree, Monitoring Unit as well as by the program specialists. The planning staff coordinated the entire application review process.

Also in 1974, the MCCJ began to plan more systematically, first estimating long-range needs and then defining annual programs. Program specialists worked with planning staff and state and local agencies to identify long-range strategies for each functional area. (Previously, the multiyear plan for LEAA had been outlined after, and based on, the program specialists' annual program.) The "strategies," after approval by the MCCJ, were sent to many local jurisdictions and criminal justice agencies along with the new application form and guidelines and general instructions for applicants. By requiring formal review of full applications, the discretionary power of the program specialists was reduced; they could no longer formulate a plan from loosely structured projects negotiated with selected jurisdictions and agencies.

The new planning policy resembled the procedures used in 1969 and 1970 when the MCCJ staff had compiled 100 categories and mailed them to the EDAs. However, in 1974 and 1975, the distribution was different, involving only major jurisdictions, and the strategies were more thoroughly planned and developed by the MCCJ staff than the earlier ones had been. In addition, unlike the 1969-1970 period, action funds were allocated to program categories only on the basis of a formal competitive review of full applications.

The Role of Committee Members: 1971-1974

Although formal approval of the state plan by the MCCJ was required, MCCJ members had but a small role in determining priorities for the plan or evaluating individual projects that were funded with Safe Streets money.

The PRB, composed of MCCJ members, was intended to exercise the full committee's responsibility to evaluate and decide upon project funding. However, the PRB met rarely between 1971 and

1974, and the full membership of the MCCJ relied upon the evaluation decisions of the executive director and his staff.

The 1973 law that formally constituted the PRB stated that it "shall evaluate and approve or disapprove competitive applications to the Committee for funding." But the adoption of a non-competitive funding mechanism (in 1971) reduced this role of the PRB. The PRB's function as an appeals court was negligible because the executive director assumed total responsibility for reallocation of funds.

In 1972, task forces for each functional area within the criminal justice system were established to review the state plan prior to MCCJ approval. Before the task forces saw the plan, the MCCJ staff had determined the apportionment of funds to each functional area and had identified the projects to be funded. The task forces, then, could shift funding within a functional area, but they needed full MCCJ approval in order to change the allocation of funds among functional areas. The task forces rarely appealed to the full committee.

Appeal to the full MCCJ membership was the final recourse for applicants whose projects had been rejected by the MCCJ staff and a task force. However, during 1971-1974, the MCCJ usually upheld staff decisions because the executive director had controlled this procedure so carefully.

Prior to committee meetings, the executive director spent several days traveling throughout the state discussing funding for each program area with key committee members. He explained why funds were being divided into particular program areas, who was appealing a disapproved application, and gave his own and the program specialists' views on the project. The director usually visited at least 21 members—to insure that a majority at the meeting were knowledgeable about his views. The executive director admitted, "I knew the votes on an issue before the count was taken," and claimed that the committee hadn't voted against him in five years. The former executive director believed that the committee members' self interest would prevail in most cases if strong direction from the staff were not provided. Before 1974, the MCCJ approved the plan with allocations to specific program areas and never saw individual applications. In 1974 and 1975, the task forces received written staff summaries and reviews of each application, including justification for funding recommendations. (Distributing 300 applications, averaging 30 pages each, to 40 committee members posed insoluble logistical problems. Committee members couldn't deal with that much material.)

The executive director also exercised influence over the MCCJ members by deciding to convene committee meetings (to be held quarterly) when he had a consensus on the plan or wanted the MCCJ to adopt a specific policy. Although specific tasks were set aside for each meeting, the executive director would call meetings when he thought that MCCJ members were likely to render a decision favorable to staff policy.

During the early 1970s, the executive director exercised considerable discretion over the Safe Streets program and enjoyed great autonomy from the MCCJ because the governor and the attorney general had ceded him the power for almost all policy decisions. The director determined not only the direction of SPA staff efforts but the policy and direction of the supervisory board as well.

Local Involvement

During the same period, local participation in the MCCJ planning process was negligible.

Although some CJDAs submitted annual plans to the MCCJ in 1970, "The plans were so poor the practice was discontinued," according to one MCCJ staff member. In place of CJDA plans, the committee's Metropolitan Area Development staff would conduct an intensive series of interviews each year with criminal justice officials and community leaders in each major city. The results of these interviews were supplemented by information from other sources and compiled into large in-house reports outlining detailed recommendations for programs in each city. Usually, the staff notified the CJDAs of the state priorities for the fiscal year and gave them a rough estimate of what amount of Safe Streets funds to expect. It was up to the CJDA to submit applications for programs that met the established criteria.

The MCCJ program specialists provided little technical assistance to the CJDA staffs. Sometimes the specialists aided prospective applicants directly—bypassing the CJDA staff.

Responses to the ACIR survey of cities and counties indicated diverse opinions about the quality and quantity of technical assistance received from both the CJDAs and the MCCJ.

The local officials interviewed generally expressed dissatisfaction with the MCCJ's method of developing local applications for the state plan and resentment toward the control that the MCCJ exerted over local projects.

Some CJDA board members said that MCCJ program specialists urged city departments to support projects that they did not want. If the projects were undertaken and funded, lack of local interest reduced their chances for success and made continuation funding difficult to obtain. CJDA planners thought that projects would be more successful if they were initiated by local planners to meet locally perceived needs.

Both CJDA and city officials interviewed said that the MCCJ program specialists were not alert to the real problems of criminal justice operations on the local level. Local officials complained that the MCCJ staff used Safe Streets funds to promote favored projects, usually by attaching special conditions to the local grants. The MCCJ reserved the 324 right to approve personnel hired for implementation of subgrants. In at least one case, a project was not funded because city officials would not agree to use consultants recommended by the MCCJ staff. (In this case, the MCCJ staff had judged that local personnel could not adequately administer the program without the help of specialists.)

State Agency Involvement

In general, state criminal justice agency officials have played an active and cooperative role in Safe Streets planning. Enjoying regular communication with the MCCJ about new programs, strategies and availability of funds, agency planners were able to design annual plans that met the MCCJ priorities and funding requirements. Planning units in many state agencies were originally funded by the MCCJ; most observed MCCJ directives in order to retain support.

Interviewees mentioned some problem areas encountered by state agency planners.

- The MCCJ role in state planning gave it too much control over projects implemented.
- Agencies with the same criminal justice philosophy (as the MCCJ staff) were virtually assured of funding and were granted greater discretion in their choice of programs.

The probation and corrections departments were generally pleased with their role in Safe Streets planning and the amount of funding that their projects received.

One court official thought the courts should have more responsibility for planning, but he criticized the courts themselves for their low-key participation. The courts have rarely been denied funds. The courts' representatives on the MCCJ argued for separate block grant awards and separate planning for the courts area. The MCCJ staff considered this to be inconsistent with comprehensive planning and contrary to LEAA policy.

The Department of Youth Services, unable to convince the legislature to reform the old juvenile justice structure, asked the MCCJ and LEAA for the funds needed to support a new approach based on small-group homes. Although the legislature eventually supported the new system, the reform of the juvenile justice system in Massachusetts would probably not have been possible without Safe Streets funds.

New Directions: 1975

Structure

The MCCJ staff, relocated to the Department of Public Safety, must obtain approval of the state plan from the attorney general (chairman of the MCCJ), the secretary of public safety and the governor. The reactivated PRB is taking an active role in reviewing staff planning recommendations. The MCCJ now relies on PRB judgments as readily as it once depended on those of the staff.

Because only one district attorney sits on the PRB, it is likely that the district attorneys' influence on MCCJ affairs will decrease. The cooperation of the new attorney general and the governor—members of the same political party—could well reduce the discretion and power of the MCCJ staff. Under the leadership of Attorney General Francis X. Bellotti, the MCCJ will probably continue to support innovative programs and system change. The attorney general said that he would like the SPA supervisory board eventually to plan for the entire criminal justice system.

The MCCJ's new executive director will have to deal with this changing power base without undermining staff morale, limiting his agency's power or jeopardizing any of his newly achieved rapport with the PRB.

Planning

The CJDAs were asked to submit local strategies for FY 1976 to the MCCJ staff. These were taken into account when the state program guidelines were drafted. Copies of the state guidelines were forwarded to the CJDAs for comment. Their comments were distributed at the PRB meeting held to discuss the guidelines. After PRB recommendations were made, the MCCJ was responsible for final action on the draft guidelines. The SPA staff then mailed the new program guidelines and application forms to all 200 agencies on the SPA mailing list. The CJDAs were also asked to indicate funding priorities when they submitted their plans, and the MCCJ agreed to discuss differences between state and local priorities.

In 1975, the MCCJ adopted the same competitive funding mechanism used in 1969 and 1970. Funds were distributed on a competitive process based on full applications submitted before a common deadline. The MCCJ will attempt to ensure equitable treatment for all metropolitan areas in the state. However, funds will be used only to support innovative and well-defined projects.

The new executive director is interested in regionalizing the Massachusetts Safe Streets program but does not favor use of a formula for distribution of Part C funds that would guarantee jurisdictions a specific amount of funding. In his opinion, such assurance would generate too much local discretion and not enough local innovation.

In the past, the CJDA staff was considered isolated from the criminal justice community to which it is responsible. In 1975, however, no local agency circumvented its CJDA when submitting applications to the MCCJ; the new executive director had forbidden program specialists to deal with local functional agencies without informing the CJDA.

CJDA relationships with their respective city governments has also improved. CJDAs have been able to exercise influence over local decisions to sign grants or to supply matching funds.

The CJDAs will most likely be a part of any regionalization effort. The chief MCCJ planner said: "Now that local Criminal Justice Planning agencies are in some cases beginning to show some measure of effectiveness, the Committee will concentrate on defining procedures, setting standards, and providing training and technical assistance to ensure more consistent performance."

Allocation and Adequacy of Part B Funds

The MCCJ staff stated unequivocally that Part B funding for the state had been inadequate. Only seven percent of MCCJ staff time is devoted to actual planning, because the general staffing level of the group is insufficient. Although the legislature has always supplied more than the required 10 percent state match to support the MCCJ and to increase state staff, the excess buy-in has also been used to cover the local match on projects where a local government was unable to provide it or was reluctant to support a state-initiated project, and to match a number of discretionary grants to MCCJ. By mid-1975, the staff level at the MCCJ had decreased from 70 to 50 persons because of a turnover occasioned by the new state administration, a hiring freeze and a legislative cutback in matching funds for MCCJ staffing.

In 1975, 43 percent of the total Part B grant was passed through to the CJDAs. Boston received half of the allocation; the remaining CJDAs shared the balance. Boston's large apportionment resulted from its higher crime rate and population and its better-developed planning efforts. Despite the large amount of funding received by Boston, a city planner summarized: "We are now doing reactive rather than proactive planning. There is certainly not enough planning money to go out and run programs."

Two-thirds of the cities and counties responding to the ACIR survey agreed that Part B funds are inadequate for carrying out their planning responsibilities. Because of the small amount of planning money they receive, most CJDAs have too few staff members to undertake comprehensive planning. However, the MCCJ staff does not want to alter the 60/40 pass-through (state/local) of planning funds.

Of the 35 Massachusetts municipalities responding to the ACIR Safe Streets questionnaire, 31 were not CJDAs. None of these jurisdictions received Part B planning money in 1974. (Several had received Part B awards earlier in the Safe Streets program for planning units in their police departments.) Six of the respondents argued for greater participation by small towns in the planning process. A majority said they did not receive a fair share of Safe Streets funds, but eight also claimed that lack of funding did not have an adverse effect on their criminal justice system.

Implementation of the Comprehensive Plan

Local resentment of the state's dominance in Safe Streets planning posed the greatest difficulty en-

Table 3

Amounts of Part B, C and E Money Reverted by Massachusetts to the Federal Government FY 1969-1972

	1969	1970	1971	1972
	$	$	$	$
Part B	120	0	0	8,000
Part C	3,000	55,000	6,000	55,000
Part E	0	0	34,000	1,000

Source: ACIR 1975 Safe Streets survey.

countered in implementation of the comprehensive plan. The CJDA supervisory boards and local governments believe that the MCCJ ignored local suggestions for Safe Streets priorities, projects and strategies.

The MCCJ, emphasizing innovative projects, often bypassed local needs to promote statewide reforms. Many projects in Massachusetts were implemented slowly and reluctantly because local officials felt that the MCCJ had pressured them to apply for funds.

In some cases, the CJDAs interpreted project goals differently from the MCCJ and awards were held up until agreement was reached. If money lapsed on a grant, it was often because of lack of agreement on how to implement the project.

After 90 days, if the grants manager or program specialists thought that a project was not progressing, they notified the grantee that funds must be moved faster. In 1974, eight grantees returned funds to the MCCJ because the monies were not going to be used. (The grantee must agree to return the money; the state cannot force him to do so.) From five to ten percent of Part C funds are returned to the state annually. Only small amounts of funds are returned to the Federal Treasury by the state (see Table 3).

According to a member of the MCCJ staff, "When Massachusetts remits funds, the cause is usually a subgrantee's failure to realize funds would not be entirely obligated prior to the dealine. Such a failure may be due to careless financial planning or records which do not present a current picture of the project's spending."

The MCCJ reported that 95 percent of the projects included in its annual plans have been funded and implemented, 93 percent have been carried through to completion of the grant period. Two percent of the projects in the plans were not implemented. As the Safe Streets program has become more established and continuation funding more common, more and more block grant funds have been used within the intended time and for the intended purpose. Allocation by full applications has further improved funding efficiency.

Relationships with LEAA

Field interviews yielded conflicting assessments of the MCCJ's relationship with the LEAA regional office. The former executive director said the MCCJ had an excellent working relationship with LEAA's regional office, despite occasional conflicts, and cited LEAA's valuable assistance in interpreting complex fiscal guidelines. However, another MCCJ official expressed a contrasting appraisal.

> In general, the Boston regional office has made the operation of the LEAA program in Massachusetts much more difficult than it need have been. They have paid very little attention to the substance of Massachusetts' plans and planning process, choosing to concentrate instead on administrative details where the guidelines are clear. Serious problems in planning procedures and programs have gone unmentioned (and probably unnoticed); on the other hand, the regional office devotes extraordinary efforts to making sure the paperwork is all in order.

Divergence of opinion may result from different expectations about the role of the LEAA regional office vis-a-vis the MCCJ. Massachusetts, accounting for almost one-half of the block grant funds (and population) in the six-state New England Region, has the largest staff and the most complex planning process among these states. Because of its greater staff size and expertise, its relatively stable leadership and its centralized administration, the MCCJ has needed—and received—less assistance from the LEAA regional office than the other SPAs in the region. The former executive director thought that this situation avoided excessive LEAA involvement in MCCJ affairs and allowed assistance to be given to states more in need of the LEAA's technical assistance.

A state representative serves as LEAA's regional contact for all activities within the state: assisting the MCCJ and CJDAs in improving their planning capabilities, organizing the plan and program reviews for the state, and communicating and enforcing guidelines and regulations. In response to the ACIR questionnaire, the MCCJ's chief planner stated that the state representative's role "has been gradually compressed to purely administrative functions, mediating between a continuing flow of paper from the SPA and an ever-increasing range of LEAA guidelines and regulations." The LEAA regional office administrator explained that the LEAA has a statutory obligation to enforce the guidelines, actions that the MCCJ often views as constraints.

In 1970, the LEAA regional office, which has complete authority over plan approval, rejected the Massachusetts plan for failure to conform to LEAA guidelines. A rewritten plan was accepted. The primary means by which the regional office insures compliance with its guidelines and requirements are direct negotiation and attachment of special conditions to plan approval. According to the regional office, special conditions are used to emphasize substantive issues, to insure that gaps in the plan are filled and to obtain compliance with certain standards. The former executive director questioned the significance of the special conditions, stating that the regional office seldom enforced them. The LEAA regional administrator, however, said that in several instances grant awards were withheld pending compliance with conditions.

The time required for LEAA approval of the comprehensive plan has decreased from 30 weeks in 1970 to 10 weeks in 1975—possibly as a result of the 1973 Safe Streets amendment requiring LEAA action on state plans within 90 days of submission. The regional administrator said that, despite the shortened review time, an increase in staff has enabled the regional office to undertake more intensive reviews of state plans.

The MCCJ's chief planner said that the development of four of the annual plan components—the Statement of State Standards, Practices, and Goals; the Multiyear Budget and Financial Plan; the Multiyear Forecast of Results and Accomplishments; and the Progress Report—were, in the view of the MCCJ, "a net liability in the planning process, diverting resources from other, more useful planning work-products." However, LEAA considers these components essential for a truly comprehensive criminal justice plan as outlined and required in the Omnibus Crime Control and Safe Streets Act.

SAFE STREETS FUNDING

Total Safe Streets action funding to Massachusetts has increased from $1,024,972 (block grant and discretionary funds) in 1969 to $17,742,097 in 1974. The state has received a total of $68,384,751 in action funding since the program began in 1969. (Data includes action funds awarded through September 1975.)

The MCCJ has awarded a total of 832 block grants and 119 discretionary grants. In 1972, block grant and discretionary funding under the Safe Streets program amounted to 3.5 percent of the state's total criminal justice expenditures.

In Massachusetts, as in most other states, funding requests have generally exceeded the available Safe Streets monies. In 1975, the MCCJ was able to fund only 68 percent of the grant applications it received.

Distribution and Use of Action Funds

In order to determine the distribution and use of Safe Streets funds in Massachusetts, the ACIR field team examined the total number of action grants (145) awarded by the MCCJ from Jan. 1 to Dec. 31, 1974.

Table 4 presents the distribution of 1974 action funds, by recipient. More than half the total number of awards was made to cities (81), accounting for almost half of the total funds. Boston received

Table 4

Recipients of Part C Action Funds 1974 Grant Sample

Jurisdiction	Number of Grants	Percent of Grants	Amount of Funds	Percent of Funds
State	25	17	$ 3,136,764	27
City	81	56	5,510,453	48
County	36	25	2,621,814	23
Other	3	2	232,000	2
TOTAL	145		$11,501,031	

Table 5

Recipients of Part C and E Action Funds in Massachusetts FY 1969-1975

Jurisdiction	Number of Grants	Percent of Grants	Amount of Funds	Percent of Funds
State	210	25	$18,390,975	35
City	412	49	20,696,560	40
County	193	23	10,970,205	21
Other	17	2	1,079,355	2

Source: LEAA Grants Management Information System (GMIS) data.

Table 6

Safe Streets Funds Awarded to Large Cities in Massachusetts FY 1972-1974

	Number of Cities	Percent of Population in Cities*	Percent of Crime in Cities**	Percent of Local Block Grant Funds Awarded to Cities***	Percent of Discretionary Funds Awarded to Cities***
Over 250,000	1	11	20	19	61
100,000-250,000	2	6	11	19	5

*U.S., Department of Commerce, Bureau of the Census, *City Government Finance in 1973-74.*

**U.S., Department of Justice, Federal Bureau of Investigation, *Crime in the United States 1973: Uniform Crime Reports* (Washington, D.C.: Government Printing Office, 1974).

***GMIS data.

Table 7

Distribution of 1974 Action Funds by Functional Component
1974 Grant Sample

Functional Component	Number of Grants	Percent of Grants	Amount of Funds	Percent of Funds
Police	56	39	$ 3,584,884	31
Courts	28	19	2,608,163	23
Corrections	29	20	2,941,795	26
Juvenile delinquency	21	15	1,752,395	15
Drugs and alcohol	11	8	613,794	5
TOTAL	145		$11,501,031	

51 percent of the total Part C funds allocated to cities in the state.

State agencies and the state's 14 counties received 27 and 23 percent, respectively, of the action funds. (Grants made to counties for law enforcement and other criminal functions included, in some cases, projects that carried out state-administered tasks.)

Responses to ACIR's survey of cities and counties indicated that more than half of the localities (18 of 31 respondents, excluding the CJDAs) thought that they did not receive a fair share of Safe Streets funds. (Local governments supply 75 percent of all direct criminal justice outlays in the state.) Most local officials interviewed thought that state agencies received more funds than their financial responsibilities for criminal justice activities warranted. Four of the five CJDAs replying to the ACIR survey said that the amount of Part C pass-through funds was not equitable and that local jurisdictions should receive more money. Nineteen of the responding 24 cities and counties agreed.

In the MCCJ's view, local fragmentation of criminal justice responsibilities prevents additional Part C pass-through to the cities. Also, as in the case of the Office of the Commissioner of Probation, the MCCJ allocated larger blocks of funds to some state agencies administering programs directly serving local interests.

Table 5 lists the distribution of all Safe Streets action funds in Massachusetts from 1969-1975, according to data from LEAA's Grants Management Information System (GMIS). Almost all Part E funds (designated for corrections) in Massachusetts are awarded to state agencies.

Table 6 lists the percentage of funds awarded to large cities and their percentages of total state crime and population. The cities represented in the table are Boston (more than 250,000 pop.), Springfield and Worcester (100,000-250,000 pop.). The apportionments awarded to the three largest cities in Massachusetts were much higher than the cities' percentage of crime and of total population.

Distribution by Function

Table 7 shows a relatively balanced distribution of action monies among the major functional components of the criminal justice system in 1974. (See also Appendices 4 and 5, p. 342 ff.)

The police function received both the largest number of grants and the greatest percentage of funds. However, the percentage of funds awarded to the police in Massachusetts was much lower than that apportioned to police in other states.

The courts have requested less funding than their needs warrant, according to courts' spokesmen and the MCCJ staff. The courts' participation in the Safe Streets program is fairly recent, partly because of officials' reluctance to accept some MCCJ strictures. Most of the funds allocated thus far to the courts system have supported prosecution and defense activities.

Distribution of all Part C funds in Massachusetts, by functional component, is presented in Table 8. Over the seven-year period, the greatest percentage of action funds was awarded for corrections activities (29 percent, 191 grants). Police projects received 28 percent of the monies (309 grants), and the courts system, 21 percent (173 grants). The GMIS categories for "combinations" and "non-criminal

Table 8

Distribution of C and E Funds by Functional Component FY 1969-1975

Fiscal Year	Police	Courts	Corrections	Education	Combinations	Non-Criminal Justice Agencies	Total
	$	$	$	$	$	$	$
1969	393,030	55,450	55,000	0	168,480	12,466	684,426
Percent	57.4	8.1	8.0	-	24.6	1.8	99.9
1970	1,337,903	216,275	1,270,055	0	1,131,339	460,423	4,415,995
Percent	30.3	4.9	28.8	-	25.6	10.4	100.0
1971	2,399,925	632,240	1,870,447	0	894,405	590,882	6,387,899
Percent	37.6	9.9	29.3	-	14.0	9.2	100.0
1972	2,573,328	2,423,995	4,542,047	0	381,211	340,574	10,261,155
Percent	25.1	23.5	44.3	-	3.7	3.3	100.0
1973	2,987,464	3,363,243	5,360,897	0	1,421,444	1,439,246	14,572,294
Percent	20.5	23.1	36.8	-	9.8	9.9	100.1
1974	3,640,433	3,237,055	5,181,109	0	1,731,683	1,025,046	14,815,326
Percent	24.6	21.8	35.0	-	11.7	6.9	100.0
1975	0	0	0	0	0	0	0
Percent	-	-	-	-	-	-	-
1969-1974	$13,332,083	$9,928,258	$18,279,555	0	$5,728,562	$3,868,637	$51,137,095
Percent	26.1	19.4	35.7	-	11.2	7.6	100.0

Source: GMIS data.

justice agencies" make comparison with ACIR grant sample data difficult.

The MCCJ allocated a smaller percentage of total Part C funds for police activities than SPAs in most other states did, and a higher percentage for corrections and courts programs.

Nature of Activities Supported

The field team determined the nature of the activities supported with action funding in 1974 (see Table 9), with the help of the MCCJ program specialists responsible for the grants. Seventy-eight percent of the funds supported services; 11 percent, equipment; eight percent, training; and three percent, personnel. No grants were awarded for construction purposes in 1974, although some local officials interviewed said that part of their jurisdiction's general revenue allocation had been used for construction projects.

It has been MCCJ policy not to award grants to projects that support: major construction, purchase of automobiles or weapons, single-agency management studies, single-agency communications or automated data systems, drug or alcohol treatment projects (screening projects excepted), new institution-based adult corrections projects or institution-based programs for juveniles.

Degree of Innovation of Projects Funded

The field team worked with MCCJ program specialists to assess the degree of innovation of activities funded with Part C monies in 1974 (see Table 10). Seventy-five percent of the funds supported activities that were considered to be completely new—in contrast to an update (seven percent) or expansion (16 percent) of an existing acitivity, or a routine undertaking (two percent).

Table 11 categorizes the same grants by prior attempts of activity. The sample data indicate that 40 percent of the action funding was allocated to acitivities that had never been attempted in the state; 51 percent was apportioned to projects never attempted in specific localities. Seven percent was awarded to previously attempted activities. Two

Table 9

Primary Activities Supported with Part C Funds
1974 Grant Sample

Primary Activity	Number of Grants	Percent of Grants	Amount of Funds	Percent of Funds
Equipment	19	13	$ 1,290,560	11
Construction	0	0	0	0
Services	103	71	8,976,919	78
Training	5	3	944,447	8
Personnel	18	12	289,105	3
TOTAL	145		$11,501,031	

Table 10

Degree of Innovation
1974 Grant Sample

Degree of Innovation	Number of Grants	Percent of Grants	Amount of Funds	Percent of Funds
New	111	77	$8,574,643	75
Expansion	19	13	1,825,978	16
Update	8	6	850,849	7
Routine	7	5	249,561	2

Table 11

Prior Attempts of Activity
1974 Grant Sample

Attempted	Number of Grants	Percent of Grants	Amount of Funds	Percent of Funds
Never attempted anywhere	2	1	$ 235,000	2
Never attempted in state	44	30	4,601,119	40
Never attempted in locality	87	60	5,915,567	51
Has been attempted in locality	12	8	749,345	7
TOTAL	145		$11,501,031	

percent of the Massachusetts funds initiated activities that had never been attempted anywhere. Massachusetts was one of the leading states in the Safe Streets program in the support of innovative activity.

Continuation Funding and Assumption of Costs

Approximately 80 percent of FY 1976 Safe Streets funds will be allocated to support existing projects in Massachusetts. Such a large percentage of continuation funding is occasioned by several factors, including: (1) the lack (until recently) of a firmly enforced continuation policy; (2) the strained fiscal resources of state and local governments; (3) the reluctance on the part of the MCCJ to terminate funding of innovative reform programs for fear that state and local governments would not assume 332 the costs.

Interviewees at both state and local levels predicted that many Safe Streets projects would end if MCCJ funding were terminated. Some said that even without the new continuation funding restrictions imposed by the MCCJ, they would have to terminate some projects because of congressional reduction of total Safe Streets funding.

In 1974, it became clear that after continuation grants were made, only a small portion of the block grant remained for funding new projects. After much heated debate, the MCCJ adopted a continuation funding policy proposed by the executive director. The members of the MCCJ approved the formula on the condition that it would not be implemented until 1976, and then only on a project-by-project basis.

The continuation policy has two options:

- An applicant may receive three years of full funding (90 percent) and then assume entire cost in the fourth year; or
- An applicant may receive four years of phased-funding; 90 percent the first year, 66 percent the second year, and 33 percent the third and fourth years, with full assumption the fifth year.

All projects operating for two or more years (as of 1975) were considered to be in their second year of funding.

MCCJ staff members were skeptical that the assumption policy would ever be fully enforced by the MCCJ. However, in July 1975, the LEAA regional administrator notified all SPA directors that the 1977 review process would be stringent and might lead to some curtailment of funding.

Large state agencies often planned for assumption of cost before they received initial funding. Local officials, accustomed to projects continuing under Safe Streets support from year to year, may find the assumption-of-cost policy more difficult to accept. The willingness and ability of state and local units to assume the costs of Safe Streets activities, as now required, are open to question.

Other Criminal Justice Funding

Between 1969 and 1975 Massachusetts received $9,074,000 in LEAA discretionary funds, 2.3 percent of all discretionary funds awarded. The apportionment of these funds is less than the percentage of the nation's population living in Massachusetts (2.7 percent) and less than the percentage of total U.S. crimes (3.0 percent) committed in the state. However, the LEAA regional administrator said that Massachusetts receives proportionally more discretionary funds than any other state in Region I.

The MCCJ exercises substantial control over the discretionary funds awarded to Massachusetts, initiating almost one-half of all discretionary awards, reviewing all discretionary awards, and acting as the grantee for the funds coming into Massachusetts.

The MCCJ staff estimated that 35 percent of the discretionary funds was used to support ongoing programs; 25 percent, innovative programs; 20 percent, research, demonstration and pilot programs; 10 percent, to fill gaps in block grant funding; and 10 percent, to build local jurisdictional support for the program. Examples of projects receiving LEAA discretionary funds are listed below.

- The Department of Youth Services used LEAA discretionary funds—as well as block grants funds—to restructure the juvenile justice system.
- The Suffolk County District Attorney's Office used discretionary funds to support an organized crime unit and a career program—programs the state supported, but did not have the resources to fund.
- The Youth Activities Commission in Boston received a discretionary grant to assist the Boston desegregation plan. When the one-year grant terminated in

> 1975, the commission went to the city and asked it to pick up the salaries of the 43 staff people involved. The city carried the positions and provided $146,000 for the program.

In 14 of the cities and counties that responded to the ACIR survey (42 percent), most of the discretionary funds awarded were used to support innovative research, demonstration and pilot programs. Fifteen local jurisdictions said that they had not received any discretionary funding.

The MCCJ worked closely with the LEAA regional office to determine what discretionary awards would be made and to insure that they were coordinated with the block grant program.

Interviews and questionnaire responses indicated that substantial amounts of Massachusetts' general revenue sharing (GRS) funds were used for law enforcement and criminal justice purposes at the local level. The counties directed GRS funds to the corrections area, while the cities used a large proportion of their GRS funds to support police activities.

Questionnaire responses indicated that Safe Streets funds have been generally used to initiate new programs on the local level, while GRS funds have been used for more routine law enforcement budget expenditures such as physical improvements, police salaries or equipment. Several local officials and nine responding muncipalities suggested that Safe Streets funds be distributed through the revenue-sharing mechanism.

Subgrant Administration

Subgrants are processed rapidly in Massachusetts. After receiving the guidelines and plan, state agencies and localities spend about eight weeks developing applications. Local governments submit copies of their applications to the CJDA when they send the original to the MCCJ. The A-95 clearinghouse is notified of intent to apply one month in advance of grant submission and may request a copy of the full application. CJDA comments received by the MCCJ are added to the information on the grant application and presented for task force and MCCJ reviews.

A-95 clearance takes about 16 weeks, proceeding simultaneously with other reviews. Under state law, the EDAs serve as A-95 clearinghouses. With little involvement in criminal justice planning and little time to process the many applications, the EDAs forward their comments after minimal review.

Because the state plan in 1974 was a compilation of approved applications, the entire award of grants occurred in the three weeks immediately following committee approval of the plan package (except for reallocation of lapsed funds at a mid-year committee meeting). During those three weeks, several steps took place simultaneously. (Note: the 1974 and 1975 grant award processes were virtually identical.)

1. The attorney general signs all approved grant awards, and the governor signs all awards to state agencies.
2. The State Department of Administration and Finance processes all grants and commits the funds. The departmental process requires seven sign-offs, which explains the three-week period. The bureaucratic delays in the state accounting system greatly annoy the grants managers.
3. The MCCJ grants managers themselves take three weeks to meet with each new grantee and a state or city financial officer to explain the accounting procedures for a Safe Streets grant.

MCCJ grants managers handle about 40 grants and visit grantees quarterly to monitor accounting and project milestones. Programmatic monitoring is primarily the responsibility of the monitoring unit and, on a less formal basis but broader scale, of the program specialists. The grants management staff has grown substantially and increased its financial monitoring efforts. Audits are done by the auditing staff. Only a small percentage of subgrants were audited in the early years of the program (see Table 12).

State criminal justice agencies and 14 of the 20 cities and counties (70 percent) responding to a question in the ACIR survey indicated that there were no major delays in the grant award process. However, three of the five responding CJDAs reported delays caused primarily by late development of the state plan. Generally, there were few complaints about the problems in the award process.

The Boston Audit

The administration of subgrants in Boston has been under investigation by the MCCJ for two years. After a seven-month review of the city's records, auditors initiated special conditions for accounting and stopped all money to Boston subgrantees for about three weeks—until each subgrant was audited. The CJDA staff was particularly angered by what it considered unnecessary punishment of subgrantees. The CJDA admitted negligent management of records in the early years of the program.

The former director of the MCCJ said that despite all efforts by the SPA Chairman and staff, the city staff showed a total lack of concern for proper fiscal procedures. The MCCJ required a restructuring of the city's fiscal section, funded with Boston's Part B monies.

In July 1975, the state held up all of Boston's Part B planning funds and took control of the city's fiscal department. The results of the audit, released
334 in early September, showed that Boston had not accounted for $1 million in Safe Streets funds. Audit information revealed that money was committed more than once and administrative guidelines concerning sole source bids were not followed. The CJDA contended that much of the misunderstanding resulted from the city's use of an aggregate match for the Safe Streets' local match requirement.

Clearly, the MCCJ's application monitoring system was inadequate during the early years of the program and little time was devoted to providing technical assistance to its subgrantees. The SPA's principal concern was to find and fund innovative projects, not to track their progress. Boston's inattention to financial procedures may partially reflect its assessment of SPA priorities. Finally, during the years in question, grant management for Boston projects was isolated from all other management activities in a special Boston unit, which also had primary control over program development and program monitoring for the city's projects. This concentration of responsibility led to an emphasis on program issues over administrative controls where the two were in conflict, and may have prevented earlier discovery of Boston's fiscal problems.

Matching Funds

Because of the change from an in-kind match to a cash match requirement, localities now look at Safe Streets aid less as "free" money than they did when an in-kind match was required. Seventeen of 25 local respondents (68 percent) were very satisfied with the federal-state-local share of program costs. Only one local jurisdiction expressed strong dissatisfaction. The MCCJ thinks that cash matching will increase the likelihood that grantees will assume project costs.

Generally, local reaction to the effects of restrictions and requirements on the use of Safe Streets funds was mixed. Thirteen of 27 local jurisdictions, including three CJDAs (48 percent), commented that restrictions and requirements have had serious adverse effects on their jurisdictions' ability to carry out criminal justice programs. The largest number of complaints concerned MCCJ funding requirements—which exclude almost all the small towns in Massachusetts—and program guidelines that do not address local needs. A few municipalities said that the new assumption-of-cost policy was a strain on local government.

IMPACT OF THE SAFE STREETS ACT

Integration and Coordination of the Criminal Justice System

The MCCJ believes its funding of planning units,

Table 12

Subgrants Audited by Massachusetts Committee on Criminal Justice FY 1970-1972

	1970	1971	1972
Total number of subgrants audited	45	41	51
Percentage of subgrants audited	27.7	15.3	20.9
Dollar value of all subgrants audited	$2,409,509	$3,339,676	$3,240,413

Source: ACIR 1975 Safe Streets survey.

in key state criminal justice agencies and in major local jurisdictions, and its support of improved collection, analysis and dissemination of data have promoted coordinated criminal justice planning in the state. Yet, long-term comprehensive planning needs to be instilled through the MCCJ's program development and fund allocation processes. Interviewees agreed that the activities of the PRB, the task forces and the full MCCJ had encouraged representatives of the various agencies and jurisdictions to work more closely together.

The MCCJ's policy of concentrating funding on projects with regional, statewide or system-wide impact has led to integration of criminal justice activities in several areas. Successful projects include: regional probation programs, statewide police technical assistance services, and the Criminal History System Board (which controls access to all criminal offender records in the commonwealth).

Members of the CJDAs generally have not engaged in coordinated planning for their jurisdictions. (For example, in 1972, the 31-member supervisory board of the Boston CJDA was disbanded. It had not met for several years because of serious disagreements among city agencies.) Small town officials—particularly police officials—are dissatisfied with their exclusion from the Safe Streets program.

Representatives of probation and corrections concerns are in favor of greater integration; representatives of the courts system, although reluctant to participate fully in the Safe Streets program, have voiced a need for coordinated judicial planning.

Institutionalization of Safe Streets Activities

Massachusetts—perhaps more than any other state—has attempted to change the structure of its criminal justice system through the use of Safe Streets funds.

The MCCJ has been a major participant in three significant criminal justice reforms in the state:

- The reform of the juvenile corrections system in 1973 was supported with Safe Streets funds. The legislature, which originally opposed the transfer of juvenile rehabilitation from institutions to group homes, eventually assumed support of the program.
- A system of community-based correctional facilities was established with the help of Safe Streets funds and the MCCJ.
- The District Court Prosecutor program, which upgraded prosecutorial services in the state, was supported by the MCCJ.

Almost all the important improvements supported by the MCCJ have been implemented through state criminal justice agencies. The long-range impact of Safe Streets funds at the local level is open to question because of the MCCJ's centralized planning approach, the lack of local planning capacity and the probable inability of local governments to assume the costs of Safe Streets activities.

The critical factor in achieving major reforms is not planning so much as the appearance of able, reform-minded officials in criminal justice agencies at the state and local levels.

SUMMARY OF MAJOR ISSUES

Since the inception of the Safe Streets program, the Massachusetts SPA has emphasized funding of innovative, pilot and demonstration projects in the large urban areas with the highest crime rates. This strategy required a highly centralized planning and funding process, which was conducted by the large and influential professional staff of the MCCJ. The functionally innovative, urban-oriented approach adopted by Massachusetts represents one of the major options for implementing the Safe Streets Act.

The major problem-issues encountered in this state are summarized below.

Program Centralization

After initial experiments with local planning in 1969 and 1970 proved unsuccessful, the MCCJ centralized its planning efforts at the state level. Although they continued to solicit local ideas, from that point on the MCCJ and its staff made all decisions about priorities, policies and programs.

After 1970, the MCCJ focused its resources on fewer and larger projects—located in urban areas. (Local control of planning would probably have resulted in a different policy.) The centralized planning also permitted the MCCJ to encourage the development of—and restrict funding to—innovative efforts and to reject local requests for support of more routine needs. State control of the program also insured the MCCJ's credibility with other state agencies and led to cooperation with them on major system reforms.

The disadvantages of the centralized planning approach are obvious. Local criminal justice planning capacity in Massachusetts remains weak. Because they have not been given real authority, many CJDA staff members are frustrated and bitter; some CJDA supervisory boards are considering disbanding. (However, there are some indications that the recent complaints from the CJDAs may result in the MCCJ giving them more influence in planning and decision-making, possibly by moving toward regionalization of the CJDAs.)

It may be that many of the positive developments of centralized planning have taken place at the expense of state-local relations and have prohibited the growth of strong local planning agencies and confident local participation in the program.

The SPA staff does not believe that the CJDAs, no matter how organized or what their authority in the allocation of funds, would have been able to induce, for example, most police chiefs—especially in the smaller cities and towns—to undertake innovative projects of any sort without heavy controls from the state level. If given their own choice, most cities would have spent all available funds for the most conventional improvements—vehicles, facilities, equipment and more personnel. The impact of such expenditures on crime, agency efficiency or the quality of justice would have been minimal at best, especially if the funds were diffused over a wide range of cities and towns.

Urban Area Funding

Unlike SPAs in other states, the MCCJ has distributed a greater percentage of its funds to large urban areas than their crime rate or population figures alone would warrant. This pattern reflects the MCCJ's belief that Safe Streets funds should be directed to those areas where the greatest criminal justice problems exist and where the funds can be used to best advantage. Smaller cities and towns, excluded in this approach, resent their low-priority classification. However, it seems unlikely that the MCCJ will alter its long-standing priorities even if it decides to regionalize the CJDAs.

Innovation v. System Support

The MCCJ's support of innovative projects has led to important reforms in the Massachusetts criminal justice system—including community-based adult correctional programs, the deinstitutionalization of juvenile offenders and improved prosecution services. The state's emphasis on innovation, however, has been opposed by local officials who do not think that the new programs advocated by the MCCJ meet their jurisdictions' primary needs—particularly when declining local revenues make it difficult to maintain existing services.

The issue of innovation versus system support in Safe Streets planning and funding decisions raises significant questions about the primary purpose of the program. Is the purpose to support innovative approaches, to meet basic state and local needs or to integrate a fragmented system by increasing planning capacity? Massachusetts has clearly opted for the first—to support new approaches and reforms in law enforcement and criminal justice. But pursuit of this purpose had led, perhaps inevitably, to local resentment of the MCCJ's policy—and authority—to direct funds away from more basic needs at the local level.

SPA Staff Influence

From the start of the program until January 1975, when a new governor, attorney general and executive director took office, the MCCJ staff exercised great influence over MCCJ decisions. It appears that much of the MCCJ staff's influence stemmed from:

- The MCCJ's confidence in the staff's expertise;
- The MCCJ members' disinterest in the details of planning and funding; and
- The executive director's understanding and successful management of the members' political interests.

The recent efforts of the new governor and executive director to increase the MCCJ's level of participation in the planning and funding process may appease local officials who have objected to the staff's power. It could, at the same time, upset the present balance of political interest on the MCCJ and result in more intensive lobbying for funds by jurisdictions and interested state agencies—particularly when these bodies are now forced to assume the cost of activities formerly funded by Safe Streets monies.

Assumption of Costs

Assumption by state and local governments of the costs of Safe Streets projects is a serious problem in Massachusetts. Although the state has kept some activities going with its own funds, local governments have not followed suit — local governments may consider the innovative, state-initiated projects luxuries and award them low funding priority.

The assumption-of-cost problem is particularly acute in Massachusetts because the state is experiencing severe fiscal problems and has not had a firmly enforced assumption-of-cost policy until recently. Since almost 80 percent of the MCCJ's funds support continuation projects, there is not much money left for initiating new activities.

APPENDIX 1

Massachusetts Site Visits

Implementation of the Safe Streets program in Massachusetts has occurred primarily in its urban centers. The state's program does not include regional planning units. The seven CJDAs were established instead—in seven major cities. No counties receive large amounts of Safe Streets funds; the western, more rural section of the state receives funding proportionate to its population.

The ACIR field team visited four cities that provided examples of different urban environments: Boston, Worcester, New Bedford and Cambridge.

Capital of the commonwealth, Boston has the state's largest population (630,900) and its highest index crime rate (33,776 in 1972). At the time of the field study, the city government had severe fiscal problems and its fiscal section was being audited by the MCCJ. Boston has the largest criminal justice planning staff in the state.

Worcester, the state's second largest city, has a population only one-sixth that of Boston's and a crime rate three times smaller (12,894 index crimes, in 1972). Worcester was one of the few cities in the country to experience a decline in crime rate during the Safe Streets program.

New Bedford exemplified a smaller city with a limited criminal justice budget and less ambitious programs. It is fourth among the state's cities in population (102,190) and its total index crimes were 4,468 in 1972.

Cambridge was the fourth site visited. The city's CJDA, the first to regionalize, was of particular interest. Cambridge's population (100,612) is about the same as New Bedford's; its index crime rate (6,624), considerably higher.

Interviews Conducted in Massachusetts

Committee on Criminal Justice

Robert Kane, Executive Director
Hank Shafran, Assistant to the Director
Martha McCahill, Program Monitoring
William Rich, Planning Director
Kevin Benoit, Program Development
Bruce Edmands, Program Development
Arthur Rosenberg, Program Development
Robert Cole, Program Evaluation
Tom Saltonstall, Standards and Goals
Richard Baird, Deputy Director for Administration
Jim Martyn, Grants Management

State Criminal Justice Functional Agencies

John F. Kehoe, Jr., Commissioner of Public Safety
Mark Sheldon, Planner, Department of Public Safety
John F. Burke, Assistant Executive Secretary of Supreme Judicial Court
C. Elliot Sands, Commissioner of Probation
William Dow, Program Development Specialist, Office of the Commissioner of Probation
Paul Chernoff, Chairman, Parole Board
Mary Jane Moreau, Federal Grants Manager, Office of the Commissioner of Probation
Joseph Leavey, Commissioner of Youth Services, Department of Youth Services
Herb William, Executive Assistant to the Commissioner of Youth Services, Department of Youth Services
Thomas P. Sellers, III, Director, Division of Program Development and Planning, Department of Correction
Joan Belle Isle, Senior Planner, Department of Correction
Thomas Clough, Budget Examiner, Budget Division, Office of Administration and Finance
Francis X. Belloti, Attorney General
Andrew Klein, Attorney General's Staff

Criminal Justice Planning Agencies

Boston

Mayor's Office of Criminal Justice
Don Manson, Executive Director
Kenneth Shafer, Chief Planner

New Bedford

Joseph Weiss, Director, Criminal Justice Development Agency

Cambridge

Wayne Markison, Director, Cambridge Criminal Justice Development Agency
Mary Ellen Preusser, Vice Chairperson, Advisory Council of the East Middlesex Criminal Justice Development Agency
Charles Deutsch, Chairperson, Advisory Council of the East Middlesex Criminal Justice Development Agency

Worcester

Gary DeFoer, Associate Administrator for the Worcester Regional Law Enforcement Council

Local Elected and Appointed Officials

Boston/Suffolk

Commissioner William Nickerson, Boston/Suffolk Penal Department

Robert McKenna, Assistant District Attorney-Suffolk County

LEAA Region I Office

George Campbell, Regional Administrator

Andrew Sheriff, Assistant District Attorney-Suffolk County

Judge Paul H. King, Chief Justice, Suffolk County District Court

Jake O'Hare, Planning Division, Youth Activities Services

Robert diGrazia, Boston Police Commissioner

Arnold Rosenfeld, Massachusetts Defenders Committee

New Bedford/Bristol

John Tierney, District Attorney

Joseph Souza, Chief Probation Officer, Bristol County

Daniel Flanagan, Assistant Probation Officer, Bristol County

Sheriff Dabrowsky, Bristol County

Chief Pelletier, Police Chief, New Bedford

Worcester

Francis McGrath, City Manager

Walter Kelley, County Commissioner, Worcester

Paul Tivnan, County Comissioner, Worcester

William Buckley, District Attorney

Honorable Morris Gould, Judge

George LeDoux, Chief Probation Officer

Cambridge

James Sullivan, City Manager

Donald Hawkes, Assistant to the City Manager

Honorable Laurence F. Feloney, First Justice, Third District Court

APPENDIX 2

Responses to Local Questionnaires

Massachusetts
1975

Population Group	Counties			Municipalities		
	No. Surveyed	Responding		No. Surveyed	Responding	
		No.	%		No.	%
Over 500,000	5	3	60	1	1	100
250,000-500,000	3	1	33	0	0	0
100,000-249,999	2	2	100	4	4	100
50,000-99,999	2	2	100	18	12	67
25,000-49,999	0	0	0	37	8	22
10,000-24,999	0	0	0	88	17	19
TOTAL	12	8	67	148	42	28

APPENDIX 3
Massachusetts Criminal Justice Development Agency Staffing
April 1974

Criminal Justice Development Agency	Number of Staff Members				Total Monthly Payroll*
	Full-time	Part-time	Total	Authorized	
Boston (MSSAAC)	26	1	27	N/A	$30,904.85
Springfield	4	-	4	N/A	4,800.00
Worcester	5	1	6	N/A	4,000.00
Cambridge	4	-	4	N/A	4,270.00
New Bedford	4	2	6	N/A	3,651.00
Fall River	4	1	5	N/A	4,768.35
Lynn	3	-	3	N/A	3,350.00
TOTAL	49	5	54	N/A	$55,744.35

N/A=Not Available.

*Payrolls are as estimated on the basis of a five-week month.

Source: Massachusetts 1975 comprehensive plan.

APPENDIX 4

Massachusetts

Summary of Allocations from All Funding Categories to 1975 Programs

Program Title	Total LEAA Funding	FY 1975 Part C	Block Grant Part E	Reallocations FY 1973	Reallocations FY 1974	Estimated Matching Funds
75-01: Police personnel development	$ 349,282	$ 349,282	$	$	$	$ 38,809
75-02: Police management and support	730,371	669,843		51,528	9,000	81,152
75-03: Police and the community	773,923	773,923				85,992
75-16: Specific crimes	709,166	509,166			200,000	78,796
75-21: Police communications	1,204,901	1,204,901				133,878
POLICE/CRIMES TOTALS	3,767,643	3,507,115	0	51,528	209,000	418,627
75-05: Prosecution	1,332,663	1,250,520		82,143		148,074
75-06: Defense	1,270,384	1,270,384				141,153
75-07: Court administration	764,135	614,384		149,751		84,904
COURTS TOTALS	3,367,182	3,135,288	0	231,894	0	374,131
75-08: Probation and diversion	1,516,807	1,516,807				168,534
75-14: Drug/Alcohol	373,204	373,204				41,467
PROBATION/DIVERSION TOTALS	1,890,011	1,890,011	0	0	0	210,001
75-09: State adult corrections and parole	1,405,649	354,936	1,050,713			156,183
75-10: County adult corrections	1,003,819	1,003,819				111,536
CORRECTIONS TOTALS	2,409,468	1,358,755	1,050,713	0	0	267,719
75-11: Local juvenile programs	1,929,287	1,748,450			144,837	14,365
75-13: DYS deinstitutionalization	896,521	396,234	500,287			99,614
JUVENILE JUSTICE TOTALS	2,825,808	2,180,684	500,287	0	144,837	313,979
75-19: Criminal justice information system	747,731	693,826		53,905		83,081
75-23: Program evaluation	407,321	407,321				45,258
CRIMINAL JUSTICE SERVICES AREA TOTALS	1,155,052	1,101,147	0	53,905	0	128,339
TOTAL	$15,415,164	$13,173,000	$1,551,000	$337,327*	$353,837	$1,712,796

APPENDIX 5

Massachusetts

Changes in Committee Plan Allocations to Criminal Justice Programs FY 1973-1975

	1973 Plan		1974 Plan		1975 Plan	
Program Title	**Allocation**	**Percent**	**Allocation**	**Percent**	**Allocation**	**Percent**
75-01: Police personnel development	$ 416,126	2.8	$ 221,605	1.5	$ 349,282	2.3
75-02: Police management and support	646,461	4.4	479,674	3.2	730,371	4.7
75-03: Police and the community	1,057,000	7.1	1,458,060	9.9	773,923	5.0
75-16: Specific crimes	910,257	6.2	405,577	2.7	709,166	4.6
75-21: Police communications	1,245,000	8.4	1,252,279	8.5	1,204,901	7.8
POLICE/CRIMES TOTALS	4,274,844	28.9	3,817,195	25.8	3,767,643	24.5
75-05: Prosecution	1,237,971	8.3	1,060,928	7.2	1,332,663	8.6
75-06: Defense	811,500	5.5	1,070,766	7.2	1,270,384	8.2
75-07: Court administration	781,500	5.3	551,649	3.7	764,135	5.0
COURTS TOTALS	2,830,971	19.1	2,683,333	18.1	3,367,182	21.8
75-08: Probation and diversion	948,055	6.4	1,370,703	9.2	1,516,807	9.8
75-14: Drug/Alcohol	1,140,352	7.7	695,481	4.7	373,204	2.4
PROBATION/DIVERSION TOTALS	2,088,407	14.1	2,066,184	13.9	1,890,011	12.3

Source: Massachusetts 1975 Comprehensive Plan.

APPENDIX 6
Massachusetts
Allocation of Part B Funds to Criminal Justice Development Agencies
FY 1973-1974

Criminal Justice Development Agency	FY 1973			FY 1974				
	Part B Allocation	Grant Period	Monthly Rate	Part B Allocation	State and Local Match	Total	Grant Period	Monthly Rate
M.S.S.A.A.C. (Boston)	$234,912	10	$23,491	$236,678	$26,298	$262,976	1-21-74 12-31-74	$21,913
Eastern Middlesex	11,000	2	5,500	49,590	5,510	55,100	1-1-74 10-17-74	5,800
Fall River	42,000	12	3,500	43,590	4,830	48,300	11-1-73 9-15-74	4,695
Lynn	30,120	12	2,510	39,326	4,370	43,695	1-1-74 9-30-74	4,865
New Bedford	42,738	10	4,279	43,456	4,828	48,284	12- 1-73 10-14-74	4,199
Springfield	55,000	12	4,583	54,810	6,090	60,900	11-21-73 12-15-74	4,776
Worcester	49,500	8	6,187	43,470	4,830	48,300	12-1-73 10-15-74	4,600
TOTAL	465,320	NA	NA	510,800	56,756	567,556	NA	NA

NA = Not Applicable.

Source: Massachusetts 1975 comprehensive plan.

Minnesota

Minnesota is the 19th most populous state. It has 3.9 million residents according to 1972 census bureau statistics, more than half of whom are located in the metropolitan Twin Cities area of Minneapolis-St. Paul. The remainder of the state is predominantly rural, although there are two other Sandard Metropolitan Statistical Areas (SMSAs): Duluth-Superior and Rochester. Most of the local units of government are quite small. Of the 87 counties. 66 percent have a population of fewer than 25,000 residents, and 82 percent of the 854 municipalities have 2,500, or fewer, residents. There are 1,798 townships, 92 percent of which have fewer than 1,000 inhabitants.

The state ranked 23rd among the states in crime rate in 1973. According to the 1973 "Uniform Crime Reports," the reported index crime rate in Minnesota increased from 3,354.1 in 1972 to 3,535.6 in 1973, an increase of five percent. The rate of violent crime climbed from 174.5 to 177.7, and the rate of property crime went from 3,179.6 to 3,357.8 during this period.

Total state and local government direct expenditures for criminal justice totaled approximately $159.7 million in FY 1972-1973. Of the $52.1 million in state government direct outlays, 27 percent was for police protection, seven percent for the judicial system, three percent for prosecution, 0.4 percent for indigent defense, 47 percent for corrections and 16 percent for other criminal justice purposes. Of the $116.6 million local government direct expenditures, 64 percent was for police protection, 15 percent for the judicial system, six percent for prosecution, 0.7 percent for indigent defense, 13 percent for corrections and 1.3 percent for other criminal justice purposes.[1]

Minnesota was selected for case study analysis because of its midwestern location, the absence of severe crime problems, the stability of leadership in its state planning agency (SPA) and its unusual method of awarding grants. Despite the existence of regions, and in one area of a very strong regional council, the state has retained authority over the distribution and use of Safe Streets funds.

THE CRIMINAL JUSTICE SYSTEM

Law enforcement in Minnesota is primarily the responsibility of local government. Approximately 85 percent of all direct expenditures for this purpose are made at the local level. Each county has an elected sheriff responsible for operating the county jail as well as for providing law enforcement services. Police departments have been established in the more populous municipalities. The main state role in law enforcement is carried out by the Department of Public Safety. The Bureau of Criminal Apprehension of the department assists local law enforcement agencies by providing training, information systems and forensic laboratory services. The Highway Patrol, also located in the department, not only enforces traffic laws on the state's highways, but also assists local police and sheriffs on request.

The court system consists of the State Supreme Court (court of appellate jurisdiction); district courts (courts of general jurisdiction; and county and municipal courts (courts of limited and special jurisdiction). Prosecution is the primary responsibility of elected county prosecutors. Defense is handled by a public defender in the majority of judicial districts; a state public defender provides assistance to local defenders and gives counsel on appeals.

The State Department of Corrections, headed by a commissioner, administers both adult and juvenile institutions. Most counties also maintain a jail and some operate juvenile detention centers as well. Probation and parole for adults and juveniles is also the responsibility of the Department of Corrections, although these services are supplemented by county probation departments, where they exist.

THE STATE PLANNING AGENCY

Responsibility for administering the Safe Streets program was originally assigned by the governor to the Minnesota state planning agency, a multipurpose general planning agency. In 1971, the newly elected governor, present Governor Wendell R. Anderson, issued an executive order establishing the Governor's Commission on Crime Prevention and Control as a separate entity within the Office of the Governor. According to the executive director of the commission, the reasons for this organizational change were essentially three-fold: (1) the state planning agency's lack of administrative capacity to manage a rapidly-expanding, major Federal grant program; and (2) the executive director's own desire, and the desire of the members of the commission, to be independent; and (3) the reluctance of the SPA director to take on the management of the Safe Streets program. The 1971 executive order, which remains the basis of authority for the crime commission, gives it responsibility for developing a comprehensive plan, setting priorities, and applying for and accepting grants under the Safe Streets and Juvenile Delinquency Acts. It mandates that the governor appoint the members of the commission for indefinite terms and a chairman who serves at the governor's pleasure. It further provides that the governor designate an executive director to the commission who also serves at the governor's pleasure.

Commission members are representative of law enforcement and criminal justice agencies (including those related to the prevention and control of juvenile delinquency), units of local government, public agencies maintaining crime control programs and the general public. Commission membership also reflects a geographic and urban-rural balance.

In September 1975, shortly after the visit of the ACIR field team to Minnesota, the governor appointed 12 new commissioners, bringing the total membership to 27. The chairman is the chief of police of Mankato. Unlike its predecessor, the new commission includes two members of the state legislature. Overall, seven commissioners are state-level representatives, 14 are from local government or criminal justice agencies and six are public members. (See Appendix 3, p. 371, for a listing of commission members as of September 1975.)

The commission operates under a set of bylaws. Members are not allowed to send representatives in their behalf. On the average, the staff estimates that 75 percent of the members attend commission meetings. The commission has five standing committees: executive, plans and priorities, affirmative action, legislative, and grants.

The present executive director is only the second person to head the Safe Streets program in Minnesota since 1969. He was appointed in 1971 by Governor Anderson, after having served for a short time as a staff aide to the governor. The executive director holds a Ph.D. in political science and, prior to his involvement in Minnesota state government, was a university professor.

According to the state's FY 1976 planning grant application, there are 36 permanently authorized staff positions supported principally by the state share of Part B planning funds and state matching monies. These personnel, along with the nine-person evaluation unit separately funded with Part C action monies, carry out the agency's normal planning and administrative responsibilities required by the act. From time to time temporary personnel, generally supported by either action or discretionary grants, are added to the staff to implement special projects, such as the standards and goals project.

The staff is organized into six basic units: planning and program development, fiscal management, grants administration, operations management and research, audit, and evaluation. Unique to the Minnesota management approach is what is termed the "program implementation team structure." Teams consisting of personnel from planning, research, grants administration and evaluation are organized around the four major subsystems of the criminal justice system—law enforcement, corrections, adjudication and juvenile justice. The team structure is designed to coordinate interrelated commission activities and to perform commission responsibilities, such as monitoring and technical assistance, within the functional boundaries of the criminal justice system. It is intended to maximize commission staff performance by bringing together substantive criminal justice knowledge and technical expertise in specific areas, including planning, evaluation and administration.

State, regional and local interviews indicated dissatisfaction with the crime commission staff's level of knowledge of the criminal justice system. Complaints about staff backgrounds and arrogant demeanor were voiced by four of the interviewees. It was noted by these persons that although the staff is well qualified academically (six of the 10 key staffers listed in the FY 1976 planning grant application have advanced degrees) some state staff have little practical criminal justice experience and, as a result, have made errors that have undermined their credibility with local officials. An example cited by the two coordinating council directors was the design of a court survey by a crime commission staff member who had only been out of law school for a few months. According to these officials, the survey used terms that did not fit the Minnesota judicial system. Further, these interviewees contended that some crime commission staff do not understand the day-to-day realities of local government or criminal justice and thus operate mainly from an intellectual and theoretical premise of how the criminal justice system should work.

The executive director, on the other hand, pointed out that although there are some commission staff members with criminal justice system experience, there is no evidence that persons trained within criminal justice agencies are better qualified to change the system or to carry out the mandates of the Safe Streets program than are persons with skills in planning, research and evaluation—functions that he sees as the heart of the program.

Relationship to State Agencies

The governor's role in the Safe Streets program is exercised primarily through his appointive powers and authority to disapprove the match for state and local agency projects. Because the program is relatively small and criminal justice is not a high priority concern, the governor does not take an active personal role in Safe Streets but delegates responsibility to the commission and its executive director. According to the executive director, the governor sees Safe Streets as a grant program that probably will end when Federal funds are no longer available. There was general agreement among the interviewees that the present executive director is very much the governor's man and has the governor's full backing and support.

The attorney general, an elected constitutional officer, has criminal justice responsibilities that are limited largely to appellate work. Although he is a member of the crime commission, the attorney general does not appear to exercise more influence on its activities than other members.

The primary function of the state legislature in the Safe Streets program is appropriating matching and buy-in funds. In addition, the Legislative Advisory Commission (LAC), composed of the chairmen of key House and Senate committees, reviews the projects approved for funding by the crime commission at its annual awards meeting and advises the governor as to whether or not to authorize the disbursement of matching dollars from a special fund into which the legislature has made its appropriation. In effect, this review and recommendation process gives the governor the capacity to veto projects even though they have been approved by the crime commission.

Interviews with state lawmakers indicated that even though the legislature generally has not taken an active interest in the program, there is a desire on the part of the lawmakers to have more involvement in and control over the Safe Streets and other Federal grant programs because the state is often asked to continue projects initiated with outside support. Some legislators would like to make appointments to the crime commission and/or nominate representatives of the legislature to be named to the crime commission by the governor. Several bills designed to increase the legislature's role in this manner were pending at the time of the field visit. It should be remembered that at the time these interviews were conducted, there were no state legislators on the commission.

Legislative interest is not limited, however, to the composition and method of appointment of the crime commission. Proposals have also been introduced that would restructure the planning and funding process by delegating the authority to receive action block grants based on state-approved plans and the authority to review and approve local applications and monitor projects to the regions and to the two criminal justice coordinating councils. This legislation appears to be the result of regional and local pressure on the state to decentralize the program by eliminating the state role in the review and approval of local project applications.*

According to the executive director, the crime commission should not be statutorily based, because the Safe Streets program is the governor's responsibility and he should have the authority to run it as he sees fit. The executive director is opposed to any action that would restrict the governor's ability to ensure accountability for a program for which he is responsible.

The crime commission does not become heavily involved in developing or promoting substantive criminal justice legislation, although it does adopt general policy statements that in some instances have implications for legislative action. This "low profile" appears to reflect the executive director's views that the primary task of the crime commission is to administer the Safe Streets program, that the crime commission's legislative role should be to advise the governor rather than to take independent action and that criminal justice is not a high priority problem in the state.

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*Throughout this and the other case studies, factors considered by ACIR in assessing the degree of state decentralization include the degree to which the state has delegated both responsibility and authority for planning and funding decisions to the regional level, the absence of specific state funding policies, the distribution of funds according to a fixed allocation formula, and the capacity and authority of the regional planning units relative to the SPA. Conversely, factors indicating a centralized administration are the retention by the state of authority for approving individual projects; the absence of a fixed allocation formula; the lack of specific regional plans which form the basis of the state plan; regional planning units with limited planning capacity, authority and responsibility; and the presence of SPA funding policies that identify and restrict the types of activities eligible for support. However, no SPA uses a totally centralized or decentralized approach, but rather displays a mix of the characteristics listed.

The primary activities of the state budget office in the Safe Streets area are to review state criminal justice agency grants awarded by the crime commission and to recommend whether or not matching funds should be disbursed from the special fund. The budget office recommends that matching monies be disapproved for some projects. The reasons for this negative recommendation are usually: (1) the agency has sufficient matching funds in its general appropriation, (2) the need for the project has not been adequately demonstrated, or (3) the project would duplicate services already being provided.

In developing the FY 1976 state plan, the crime commission staff, in a first attempt to look at total state criminal justice resources, is receiving state criminal justice agency budgets from the budget office. In turn, the crime commission provides the budget office with assessments of state programs generated by its evaluation unit.

The heads of most of the major state criminal justice agencies are members of the crime commission. Those interviewed thought that the commission's funding decisions were generally responsive to their needs and priorities. However, these agencies do not rely significantly on the crime commission staff for either planning or technical assistance, other than in procedural or administrative matters related to the Safe Streets program; the criminal justice agencies tend to view the crime commission primarily as a source of financial assistance.

REGIONAL PLANNING UNITS

The 1969 executive order establishing the Governor's Commission on Crime Prevention and Control also authorized the creation of seven multi-county planning regions throughout the state (see Table 1). These regional planning units are responsible for developing annual plans, reviewing and prioritizing applications for action funds, participating in joint monitoring visits with crime commission staff and providing technical assistance.

Regional planning units (RPUs) are governed by policy boards composed of criminal justice personnel, general local government personnel and public members (see Table 2). As required by the Safe Streets Act, at least 51 percent of the members must be local elected officials. The policy boards include at least one person from each county. Nominations are made by the county boards, ratified by the crime commission and approved by the governor. After each county's representative is named, the council may appoint the remaining members. Regional policy board chairmen are appointed by the governor.

Table 1

Characteristics of Minnesota Criminal Justice Regional Planning Units

Region	1974 Estimated Population	Number of Counties	FY 1975 Part B Funds
A	145,133	12	56,533
B	323,161	7	76,269
C	183,670	9	65,019
D	375,492	14	63,113
E	262,462	18	60,731
F	634,394	20	69,936
G	2,016,920	7	$121,399

Source: Derived from Minnesota FY 1975 planning grant application and FY 1974 state comprehensive plan.

Each region has at least three professional staff members, the minimum staff capability determined by the crime commission as necessary to meet regional criminal justice planning responsibilities. Regional staff, while generally supported by Part B planning funds passed through by the state to the region, are employed by and accountable to their respective policy boards. Although the crime commission has attempted to establish minimum qualifications and salary schedules for regional planners, these attempts have not met with success. Based on the responses to questionnaires mailed to all regional planning units, rural areas appear to have some difficulty in attracting and retaining qualified planners because of relatively low wage rates.*

Not surprisingly, there is disagreement as to the planning capability of the regional units. The crime commission's executive director rated their capability as uneven, largely because of a lack of qualified staff in some regions. Regional staff interviewed strongly disagreed with this assessment. In addition, when asked in an ACIR questionnaire to rate the planning capacity of their RPU, eight of the 51 localities responding (16 percent) replied, "highly developed;" 29 (57 percent) said "adequate;" and 14 (27 percent) answered "inadequate."

In 1969, Minnesota adopted a Regional Development Act providing for the creation of regional development commissions (RDCs). Twelve RDCs have now been established which, together with the Metropolitan Council in the Twin Cities area, blanket the state. RDCs are the designated A-95 review clearinghouses and have a variety of areawide functional planning responsibilities under Federal and state programs, including land use, health and human resources.

The seven regional criminal justice planning councils were established just prior to passage of the Regional Development Act, and, therefore, do not generally conform to the geographic boundaries of the RDCs. No RDC, however, is located in more than one criminal justice planning region. Two criminal justice regions, Region B (Arrowhead Regional Development Commission) and Region G (Twin Cities Metropolitan Council), are fully merged with the RDC. Their criminal justice advisory councils have applied for and administered Safe Streets Part B funds since the beginning of the program. Other criminal justice regions, particularly Region F, have moved in the direction of merger with the appropriate RDCs.

Table 2

Minnesota
Statewide Composition of Regional Policy Boards

May 1975

	Number	Percent of Total
Law enforcement	40	21
Courts	15	8
Corrections	8	4
Local general government elected officials	64	34
Other	62	33
TOTAL	189	100

Source: Derived from the Minnesota FY 1976 planning grant application.

The designated regional criminal justice planning unit for the Twin Cities metropolitan area is unique; it is the Metropolitan Council, a statutorily based, general purpose policy-making body with limited taxing authority. Metro Council, as it is called, is responsible for a broad range of public functions within a seven-county region including health, transportation, land use, housing, open space, parks and sewers. It is also the designated A-95 clearinghouse for the area.

The council consists of 16 members who are appointed by the governor for overlapping, four-year terms. In order to meet the representational requirements governing the composition of regional criminal justice policy boards, the Metro Council has established a criminal justice advisory committee composed of local elected officials, representatives of criminal justice agencies and the general public (see Table 3). The criminal justice advisory committee exercises a dominant role in approving the regional plans and reviewing grant applications, although all ultimate authority formally rests with the council.

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*In June 1975, ACIR mailed questionnaires to all regional planning units and all local governments of 10,000 or more population in order to obtain their views about the Safe Streets program. By October, responses had been received from five of the seven Minnesota regional planning units (72 percent), 28 of the 54 municipalities meeting the population criteria (52 percent) and 27 of the 75 counties (36 percent).

Table 3

Composition of Twin Cities Metropolitan Council Criminal Justice Advisory Committee

May 1975

	Number	Percent
Law enforcement	5	17
Courts	3	10
Corrections	1	4
Local general government elected officials	9	31
Other	11	38
TOTAL	29	100

Source: Derived from Minnesota FY 1976 planning grant application.

350 The council receives approximately $120,000 in Part B planning funds annually from the crime commission, but general tax revenues support more than 50 percent of the council's overall criminal justice program. The director of this program estimates that approximately 70 percent of professional staff time is devoted directly to Safe Streets activities. He indicated that special conditions placed by the crime commission on regional planning grants restricting the use of Part B funds to Safe Streets-related activities prohibit the Metro Council's criminal justice staff from establishing more effective linkages with other planning and policy development functions of the council.

Criminal Justice Coordinating Councils

The 1971 Safe Streets Act amendments required states to assist major cities and counties in developing local planning capabilities. Further, they authorized the use of Safe Streets action funds to establish criminal justice coordinating councils (CJCCs) for local government units or combinations of local government units representing populations of 250, 000 or more. Spurred by these amendements, which for the first time gave statutory recognition to local planning, Minnesota's two major city-county areas—Minneapolis-Hennepin County and St. Paul-Ramsey County—both created units designed to insure improved local planning and coordination of criminal justice activities.

While these criminal justice coordinating councils engage in a variety of activities not related to the Safe Streets program, they also perform a number of functions directly related to the planning and funding processes. Because the CJCCs are located in the seven-county Metro Council region, some disputes have arisen between Metro Council and CJCC staff as to the appropriate demarcation and definition of their respective roles and responsibilities. As a result, all three staff directors thought there had been not only some programmatic differences, but also some needless duplication of effort. An administrative interpretation from the LEAA regional office, however, has indicated that the FY 1976 LEAA planning requirements pertaining to memorandums of agreement between regional criminal justice planning units and areawide comprehensive planning agencies, are also applicable to CJCCs. Therefore, agreements must be developed between the two CJCCs and the Metro Council that not only identify the relationships between the two levels, but also specify the organizational and procedural arrangements for coordinating their activities.

St. Paul-Ramsey County

The St. Paul-Ramsey County Criminal Justice Advisory Committee was created in November 1971 by city ordinance and subsequently by county resolution. The committee is a permanent agency of the city government; in the early years of existence it was viewed largely as a mayor's program. At the time the committee was formed the mayor of the city of St. Paul was also the chairman of the Ramsey County Board of Commissioners. Recently, however, the committee has begun to work more closely with the county because of the county's greater criminal justice responsibilities. The committee is chaired by the chairman of the Ramsey County Board of Commissioners; its vice-chairman is the mayor of St. Paul. Members of the committee are appointed by the chairman, with the consent of the Board of Commissioners. As of May 1975, the committee consisted of 16 members, eight of whom were elected officials of general local government (see Table 4). The committee has four functional subcommittees: law enforcement, judicial process, prevention, and corrections. Since its formation in 1971, the committee staff has been headed by a director appointed by the mayor of St. Paul. The committee presently has seven other staff positions, two of which are supported by funds made available from the city and county under the Comprehensive Employment and Training Act. In FY 1976, the committee was awarded $92,073 in

Part C funds from the crime commission, $5,115 in local matching monies, and $5,115 in state buy-in funds.

Committee functions related to the Safe Streets program include plan formulation, application development and review, technical assistance, and monitoring (in cooperation with state and regional staff). According to the director, however, the committee is also involved in criminal justice and related planning activities that are not directly linked to the Safe Streets program: a fee schedule study for shared law enforcement services, for example. Both the director and the mayor of St. Paul voiced the opinion that the committee would continue to exist in the absence of the Safe Streets program.

Minneapolis-Hennepin County

The Hennepin County Criminal Justice Council (HCCJC) was established in March 1972 by county resolution. Although it is not a permanent agency of county government and its staff members are not county employees, the HCCJC is currently engaged in a study with the county government to determine if the HCCJC should be made a permanent agency. Because of the county's greater criminal justice responsibilities, the HCCJC tends to deal more closely and frequently with the county than with the City of Minneapolis or the suburban jurisdictions.

In FY 1976, the HCCJC received $124,496 in Part C action funds from the crime commission, matched by $6,916 in local funds and $6,916 in state buy-in monies. It currently has eight staff positions.

Membership on the HCCJC is representative of criminal justice agencies and general local government. It presently includes five members from suburban Hennepin County, five members from the City of Minneapolis, eight members from the Hennepin County government, and a community representative from the Health and Welfare Council. Of the 18 members of the council, five are elected officials of general local government and and another is the designated representative of the mayor of Minneapolis. The council is co-chaired by a member of the Minneapolis City Council and a member of the Hennepin County Board of Commissioners. The council has four subcommittees: law enforcement, adjudication, corrections and prosecution.

The HCCJC is responsible for coordinating Safe Streets and related criminal justice system activities within Hennepin County. This entails criminal justice system planning functions, grant development and technical assistance. The director of the council, however, estimates that 50 percent of staff time is devoted to activities other than those directly related to the Safe Streets program. Examples of these activities include participation on various committees, such as the special committee planning the county's takeover of responsibility for the workhouse; the County Department of Mental Health and Mental Retardation Chemical Dependency Planning Committee and the City of Minneapolis' Comprehensive Planning Committee, whose function is to relate social services and physical planning.

Table 4

Composition of Local Criminal Justice Coordinating Councils

May 1975

	Number	Percent of Total
Law enforcement	5	15
Courts	10	29
Corrections	1	3
Local general government elected officials	12	35
Other	6	18
TOTAL	34	100

Source: Derived from Minnesota FY 1976 planning grant application.

SAFE STREETS PLANNING

The Safe Streets Act initiated the first statewide attempt at comprehensive criminal justice planning in Minnesota. As in other states, planning activities in Minnesota, particularly in the early years of the program, were handicapped by lack of data on crime and the criminal justice system, staff inexperience and short time periods for plan preparation. Moreover, an assessment of the administration of the Safe Streets program in Minnesota through June 1972 by the General Accounting Office (GAO), the LEAA Office of Audit and the Minnesota Legislative Audit Commission concluded that plans lacked comprehensive description of goals and objectives and were of limited use to potential applicants. Factors cited by the GAO as contributing to the crime commission's lack of capability to develop a comprehensive criminal justice plan included: the previous lack of representation of rural areas on the commission, the inexperience of crime commission staff in criminal justice functions and the lack of regional input into the plans from local levels.[2]

As stated in the GAO report, participation in planning by regional and local officials had been limited to developing demographic and crime profiles of each region, statements of needs and suggested projects. These materials were then considered by crime commission staff in developing the state plan. Beginning with the FY 1974 plan, state and RPU staffs jointly developed guidelines for the preparation of regional plans, including the tentative allocation of a specific amount of action funds to each region as well as to Hennepin and Ramsey Counties. 352

The allocations are based on a two-part formula of crime and population equally weighted and applied against 75 percent of the Part C funds that the Safe Streets Act requires be passed through to localities. Twenty percent of the local share of action funds is reserved by the crime commission for the following uses: (1) high priority continuation projects that exceed a region's base allocation; (2) high priority program areas of the commission that may not receive sufficient attention within each region's allocation; (3) minimum and maximum subsystem percentage allocations desired by the commission (functional balance); and (4) specific programs that are planned at the state level, such as crime laboratories, training and information systems. An additional five percent is reserved for crime-specific and special impact programs. Although the crime commission emphasizes that the allocations are target amounts only and do not represent funding commitments, in practice each region generally appears to receive at least its minimum allocation, although the projects may not be funded in the order of priority recommended by the region (see Table 5). None of the state's Part E award is included in the base allocation to the regions.

Each year the crime commission staff, in conjunction with the regional planners, prepares policies and planning guidelines that are the basis for the development of local, regional and state plans. The policies and planning guidelines for FY 1976 set forth: (1) policy statements of the crime commission; (2) standards for the implementation of these policies; (3) guidelines for the development of regional and local plans; (4) tentative FY 1976 programs and objectives; (5) procedures for submission, review, distribution and utilization of regional plans; (6) guidelines for state agency planning information; and (7) format and minimum data requirements for regional plans.

Table 5

Comparison of Planning Allocations and Actual Funds Awarded*

FY 1975

Region	Base Allocation	Actual Block Award
A	$ 130,671	$ 533,154
B	354,677	427,119
C	168,005	157,539
D	336,010	294,276
E	233,341	246,280
F	532,017	349,628
G	2,912,091	3,311,310
Hennepin County	1,587,090	1,485,076
Ramsey County	783,352	1,215,315

*Awards as of June 1975. The commission did not fully award its block funds at its annual grant award meeting in May 1975.

Source: Derived from Minnesota FY 1975 state plan and *Newsletter*, Governor's Commission on Crime Prevention and Control, June 1975.

The policy statements are generally broad expressions of direction that outline a commission point of view rather than define criteria for allocating Safe Streets funds. For example, one policy states that the commission, ". . . believes that efforts are urgently needed to increase community involvement at all levels of the criminal justice system. . . . The Commission will encourage projects that increase community involvement in all aspects of crime prevention and control."[3]

The standards for implementation of commission policy statements are much more specific and set some parameters for the use of Safe Streets monies in Minnesota. They also point out the commission's emphasis on innovation rather than supplementation. Examples of standards set forth in the FY 1976 Minnesota planning guidelines include:

1. A prohibition on new, general public education projects, because the commis-

sion has established resources on criminal justice system education that are available to the entire state.

2. An attempt to delineate the boundaries for appropriate Safe Streets funding in the area of juvenile delinquency prevention, stating that the highest priority will be given to projects that can demonstrate that they are serving youth who would otherwise be sent through the criminal justice system.
3. A statement that projects to merely provide law enforcement equipment will not be supported, unless the equipment is necessary to the implementation of a new, worthwhile program.
4. Limitations on construction projects, including funding prohibitions on medium or maximum security correctional facilities; single county jails, detention centers or lockups, and courthouses and courtrooms.
5. Prohibitions on projects that are designed merely to add personnel or otherwise expand programs that are clearly the responsibility of local or state government.

Certain programs are planned by the state, including organized crime programs, information systems, crime laboratories and training programs. Although regional and local councils are requested to assess the needs and problems in these areas, the crime commission staff believes that planning for these activities should be centralized for the most part, in order to insure a comprehensive and unified approach.

The state guidelines also set funding limits for functional categories so that the overall state plan meets LEAA requirements regarding functional balance. They also help to insure that a base percentage of Part C funds is allocated to corrections, so that the state can receive Part E funds. In FY 1976, the limits adopted by the crime commission are: (1) policing—not more than 40 percent; (2) prevention—not less than 10 percent; (3) adjudication—not less than 10 percent; and (4) corrections—not less than 20 percent.

The state plan itself is organized into five functional categories: juvenile justice; detection, deterrence and apprehension; adjudication; corrections; and cross-system development which includes planning, evaluation and information systems. The FY 1976 state guidelines outline 21 programs and minimum objectives in these five functional areas, but do not preclude regional or local plans from proposing additional programs or objectives. The 21 basic program areas have remained fairly constant over the past several years and generally relate to the policies and priorities previously established by the commission. For example, a program within the functional category "juvenile justice" is "juvenile justice research and development." This program attempts "to increase an understanding of the effects of various programs and specific intervention methods on the juvenile justice system and its clients" and "to determine the most effective ways of preventing or reducing crime and delinquency in Minnesota."[4]

Each region and the two coordinating councils are now required to submit an annual plan that includes an existing system description, a multiyear plan, an annual action program (including problems and objectives as well as specific project descriptions) and related plans and programs. In addition, the crime commission has established minimum data requirements for the existing systems description. In the annual action section, each region provides brief descriptions of specific projects that are proposed for inclusion in the state plan. These projects are then prioritized by the respective regional policy boards.

Obtaining plan information from state agencies is primarily the responsibility of commission staff. Each state agency, however, is required to submit and prioritize descriptions of projects that it wishes to have included in the state plan.

Crime commission staff review the material submitted by the regions and the state agencies and draft the state plan. The annual action section of the plan is prepared, taking into account the priorities identified by the regions and the state agencies, continuation funding demands and priority problem areas identified by crime commission subcommittees. The plan is then reviewed by the various subsystem subcommittees of the commission, the subcommittee on plans and priorities and the full commission. Final approval is the responsibility of the full commission.

Previous state plans (through FY 1975) have only partially identified specific projects, subgrantees and amounts. The executive director of the commission estimates that the FY 1975 plan is approximately 50 percent project-specific, with the remainder of the funds allocated to general program areas.

The reasons for the lack of specificity appear to be two-fold: a lack of sufficient and detailed information on proposed projects in the regional plans and a reticence on the part of the commission to give the appearance of making a commitment to fund any given project. The planning director indicated, however, that the commission is moving in the direction of a more specific plan. Guidelines for the development of the FY 1975 plan, which was being prepared at the time of the field team's visit to Minnesota, state that, "the projects anticipated to be funded with each region's 1976 allocation will be specified in the State plan, provided that specific subgrant data was provided by the region, along with an appropriately prioritized list of 1976 action projects."[5]

Although local and regional involvement in planning has increased significantly in the last three years, the crime commission retains a great deal of 354 control and all ultimate decision-making authority. Although the staff utilizes material submitted by the regions and the state agencies if this material meets the established guidelines and criteria, it nevertheless actively influences the plan development process. It is the commission's belief, as voiced by the executive director, that the Safe Streets program is the governor's program and that ultimate responsibility and authority should rest with the state, although there should be substantial local input.

Some of the regional and local officials interviewed believe that the crime commission should make mini-block awards based on approved regional and local plans. Although there does not appear to be any consensus as to the precise nature and form of the mini-block approach advocated by these individuals, essentially it would entail regions and major localities submitting plans to the crime commission based on the commission's policies and statewide priorities. Each region would be allocated a specific portion of block funds according to a formula. Plans meeting both Federal and state guidelines would be approved. Upon approval of the state plan submitted to LEAA, each region would receive a mini-block award to carry out the projects outlined in the regional plan. Each region, then, would assume responsibility for grant administration for those projects within its region. In contrast to the present procedure, regional and local applications would no longer have to be submitted to the state for review and approval. The region and/or the coordinating council would have authority to act on applications and make actual grant awards. The crime commission's role would be redefined and limited to setting statewide policies and priorities, reviewing and approving regional and local plans, submitting a state plan, planning and administering grants for state agency projects and evaluating programs. State legislation mandating the mini-block approach as well as other changes in the program was before the Minnesota State Legislature at the time of the field visit. Although it is impossible to assess what degree of support the legislation, and the mini-block concept in general, has at this time, some proponents think that even if the legislation is not adopted, it may well encourage changes in the present operation of the program.

Table 6

Part B Allocations to Minnesota Regional Advisory Councils FY 1976

Regional Advisory Council	Amount of Part B Funds*
A	64,712
B	70,445
C	64,986
D	70,100
E	65,534
F	79,507
G	132,216
TOTAL	$547,500

*Based on 12 months.

Source: Minnesota FY 1976 planning grant application.

Planning Funds

Minnesota received $1,008,000 in FY 1976 Part B planning funds. The crime commission in turn passed through to the seven regional councils 50 percent of the state's total Part B award, 10 percent more than the minimum pass-through required by the Safe Streets Act. Each RPU received a base award of $60,000, plus a percentage of the remaining funds available to the regions; this percentage corresponded to each region's percentage of the state's population (see Table 6). This formula, plus the decision by the commission to pass through half of the Part B funds, insures that each region, including those in outlying and predominately rural areas, has a minimum staff complement of four persons—three professional and one clerical. The two local coordinating councils are supported by Part C grants at a 90/10 matching ratio.

The Part B funds retained by the commission are used primarily to support 36 authorized state staff positions. The executive director, however, stated that the present amount of Part B funds is inadequate to provide for all the necessary functions and activities of his agency. Consequently, he has augmented his Part B resources for agency operations by obtaining a variety of Part C and LEAA discretionary grants. For example, the commission's evaluation unit is supported by a Part C grant of approximately $150,000.

Responses to ACIR's regional questionnaire indicated dissatisfaction with the division of Part B funds between the state and the regions. Four of the five RPUs replying thought that a greater portion of the funds should be allotted at the regional and local levels, and that the current amount of Part B funds available to the regions was inadequate. All five stated that the amount of Part B funds retained by the state was excessive. Interviews with three regional staff directors, however, did not reveal any serious disagreement with the method by which the crime commission distributed the Part B funds among the regions. Apparently, there is consensus on the need to provide a minimum dollar level to each region, regardless of population.

SAFE STREETS ACT FUNDING

In FY 1975, the total block award to Minnesota (Parts C and E) was $9,853,000 (see Table 7). This amount represented about six percent of the total non-Federal expenditures for criminal justice in the state.

Each year the crime commission makes approximately 150 grants to state and local government from its fiscal year block award. These grants, ranging in dollar amounts from about $5,000 to $700,000, support a variety of crime reduction and system improvement projects.

In order to determine the distribution and use of Safe Streets funds in Minnesota, the field team reviewed all Part C grants awarded by the commission in calendar year 1974.* Table 8 shows the total number of grants and amount of Safe Streets funds awarded to different types of recipients.

As shown in Table 8, grants to local units of government accounted for 69 percent of the total grants and 65 percent of the total funds awarded. Conversely, grants to state agencies represented 31 percent of the total grants and 34 percent of the total funds awarded. Several grants classified as "state," however, were actually for projects on Indian reservations. In addition, as in other states studied, some grants to state agencies were for projects of direct benefit to localities, but were administered at the state level. Examples of these projects include the program to upgrade law enforcement radio communications in accordance with a statewide master plan, expansion and improvement of forensic laboratory services, and the maintenance of a law enforcement resource center in the attorney general's office.

Data from LEAA's Grants Management Information System (GMIS), although including Part E as well as Part C funds, are generally consistent with the findings of the grant sample analysis. GMIS records show that of FY 1974 block monies, 30 percent was awarded to state agencies, 31 percent to cities and 37 percent to counties.*

A recurring issue throughout the Safe Streets program has been whether or not local governments, particularly those with high crime rates and high populations, receive a fair share of block grants. Under the variable pass-through provision of the Safe Streets Act, the state is required to make available to localities a percentage of Part C funds equal to their proportion of criminal justice outlays—about 74 percent in Minnesota. Part E funds are not covered by the variable pass-through and, although available to both state and local governments, are usually awarded by the crime commission to the state department of corrections. The state accounts for 64 percent of all non-Federal outlays for correctional purposes.

Counties and municipalities responding to the ACIR questionnaire overwhelmingly expressed their dissatisfaction with the amount of funds passed through to localities. Out of 49 responses

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*For a discussion of the methodology employed in the grant analysis, see Chapter VI.

*For a discussion of the limitations of the GMIS data, refer to Chapter V. Although GMIS does not have complete data for all states, as of August 1975 it included a fairly high percentage of Minnesota awards for the three most recent fiscal years: 97.7 percent for FY 1972; 100.1 percent for FY 1973; and 97.0 percent for FY 1974.

Table 7

Part B, C and F Awards to Minnesota FY 1969-1975

Fiscal Year	Part B	Part C	Part E
1969	$ 340,300	$ 438,770	$ 0
1970	380,000	3,302,000	0
1971	480,000	6,307,000	462,000
1972	645,000	7,639,000	900,000
1973	920,000	8,866,000	1,043,000
1974	920,000	8,866,000	1,043,000
1975	1,008,000	8,816,000	1,037,000

Source: LEAA Grants Management Information System (GMIS) data.

Table 8

Recipients of Action Funds 1974 Grant Sample

Recipient	Number of Grants	Percent of Grants	Amount of Funds	Percent of Funds	Amount of Average Grant
State	47	31	3,255,553	34	$69,267
County	63	41	3,450,584	36	54,771
City	43	28	2,788,156	29	64.840
Other	0	0	0	0	0
TOTAL	153		$9,494,293		

Table 9

Primary Activities Supported with Action Funds 1974 Grant Sample

Primary Activity	Number of Grants	Percent of Grants	Amount of Funds	Percent of Funds
Equipment	6	4	1,536,760	16
Construction	0	0	0	0
Services	136	90	7,252,647	76
Training	9	6	625,530	7
Personnel	2	1	78,356	1
TOTAL	153		$9,494,293	

Table 10

Distribution of Action Funds by Functional Component
1974 Grant Sample

Functional Component	Number of Grants	Percent of Grants	Amount of Funds	Percent of Funds
Police	45	29	3,291,223	35
Courts	27	18	1,191,685	13
Corrections	52	34	3,324,124	35
Juvenile delinquency	25	16	1,164,000	13
Drug and alcohol	0	0	0	0
Combinations	4	3	523,261	6
TOTAL	153		$9,494,292	

to the question, "Do you feel that the amount of funds 'passed-through' is equitable and reflects a balance between State/local needs," 38 (77 percent) answered "no" and said that more dollars should be given to localities and 11 (23 percent) answered "yes."

Similarly, 30 out of 48 (63 percent) local governments indicated that they believed they were not receiving a fair share of Part C funds compared with other jurisdictions in their region. The major factors accounting for this inequity, according to the respondents, were the inadequate allocation formula utilized by the SPA and the weak political position of their jurisdiction. The greatest dissatisfaction with the amount of funds received seems to be concentrated in the more rural areas.

GMIS data are useful in assessing relative equity in the distribution of funds to the state's major urban jurisdictions. Minneapolis and St. Paul together have 17 percent of the state's population and 38 percent of its total 1973 reported index crimes. According to GMIS, they have received 28 percent of the total Part C monies awarded to local governments by the crime commission during FY 1972-1974. Therefore, these two cities have received a greater percentage of funds than their population alone would warrant, but a smaller percentage than they would receive if the allocations were based solely on their share of total crimes. It should be remembered, however, that cities normally have primary responsibility for only one aspect of the criminal justice system--the police, while county governments have a major role in the courts and corrections functions. In interviews, the mayors of both these cities indicated that, although their jurisdictions were in need of additional resources, they were receiving a generally equitable portion of the available Federal dollars.

In an attempt to determine the kinds of activities supported with Safe Streets funds, each grant was classified in one of the five general categories shown in Table 9.

Like the other case study states, Minnesota used a majority of its block grants to support service activities, with 76 percent of the total funds awarded for activities of this type. This emphasis is consistent with the crime commission's policy of not funding projects that merely add personnel, purchase routine equipment or construct facilities.

Sixteen percent of the Safe Streets funds were used to acquire equipment. These equipment purchases were predominantly to upgrade law enforcement communications. Two grants to the Twin Cities to modernize their police radio communications systems accounted for over $1 million of the total equipment awards. The non-routine nature of the equipment grants is also suggested by the relatively high dollar value of the average award.

Training activities received seven percent of the funds, or $625,530. "Minnesota Crime Watch" accounted for nearly half of the total training funds. This statewide crime prevention project is administered by the crime commission and provides training and technical assistance to local law enforcement agencies.

Minnesota does not award a large number of grants of relatively low dollar value. Only 15 of the 153 grants reviewed were for less than $10,000 in Federal funds. By awarding relatively few grants, the crime commission avoids many of the administrative

Table 11

Functional Distribution of Part C and E Funds
FY 1969-1974

Year	Subgrant	Police				Courts				Corrections				Combinations				Non C-J Agencies			
		No.	%	$ Amount	%	No.	%	$ Amount	%	No.	%	$ Amount	%	No.	%	$ Amount	%	No.	%	$ Amount	%
1969	**Part C**	22	48	251,336	58	6	13	40,637	9	8	17	69,700	16	8	17	59,156	13	1	2	12,000	2
	Part E	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
	TOTAL	22	48	251,336	58	6	13	40,637	9	8	17	69,700	16	8	17	59,156	13	1	2	12,000	2
1970	**Part C**	40	38	1,352,152	41	5	4	158,304	4	17	16	475,880	14	30	28	1,075,802	33	13	12	195,595	6
	Part E	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
	TOTAL	40	38	1,352,152	41	5	4	158,304	4	17	16	475,880	14	30	28	1,075,802	33	13	12	195,595	6
1971	**Part C**	58	41	3,793,719	51	8	5	184,358	2	37	26	1,839,450	24	26	18	1,073,869	14	10	7	542,046	7
	Part E	0	0	0	0	0	0	0	0	5	100	381,056	100	0	0	0	0	0	0	0	0
	TOTAL	58	40	3,793,719	48	8	5	184,358	2	42	29	2,220,506	28	26	28	1,073,869	13	10	6	542,046	6
1972	**Part C**	69	40	2,773,198	35	23	13	827,785	10	43	25	2,426,364	31	12	6	662,090	8	25	14	1,085,176	13
	Part E	0	0	0	0	0	0	0	0	7	100	568,457	100	0	0	0	0	0	0	0	0
	TOTAL	69	38	2,773,198	33	23	12	827,785	9	50	27	2,994,821	35	12	6	662,090	7	25	13	1,085,176	13
1973	**Part C**	64	37	3,650,145	41	21	12	675,557	7	37	21	1,969,403	22	19	11	1,413,205	15	30	17	1,174,066	13
	Part E	0	0	0	0	0	0	0	0	9	100	1,043,000	100	0	0	0	0	0	0	0	0
	TOTAL	64	35	3,650,145	36	21	11	675,557	6	46	25	3,012,403	30	19	10	1,413,205	14	30	16	1,174,066	11
1974	**Part C**	43	30	3,021,289	35	24	16	1,122,031	13	29	20	1,862,801	21	15	10	1,219,152	14	32	22	1,345,289	15
	Part E	0	0	0	0	0	0	0	0	13	100	1,043,013	100	0	0	0	0	0	0	0	0
	TOTAL	43	27	3,021,289	31	24	15	1,122,031	11	42	26	2,905,814	30	15	9	1,219,152	12	32	20	1,345,289	13

Source: GMIS data.

problems associated with making small awards. Training and equipment activities, which in other states are often funded with small grants, are not supported, are large projects or are operated on a statewide basis in order to facilitate coordination and to avoid the costs involved in processing several very small grants. The crime commission's ability to manage the grants process is also enhanced by its practice of awarding almost all grants from a fiscal year's block award at one time.* If not all funds are obligated, however, or if unexpected monies become available, additional grants may be awarded at a later date by the executive director, if the grant is under $25,000, or by the commission, if the grant exceeds $25,000.

To determine which functional components of the criminal justice system received funds and in what proportions, grants were also classified according to the categories listed in Table 10.

Minnesota awarded 70 percent of its Safe Streets action funds to police and corrections, with each function receiving 35 percent of the total Part C allocation. It should be noted, however, that more than half of the monies in the police category were for communications and information systems. Minnesota awarded a higher percentage of its funds to corrections than did any of the other case study states, an emphasis that can be attributed, at least in part, to the state's community corrections thrust in the past several years. With the moratorium placed on funding residential community corrections centers that resulted from a crime commission staff evaluation, it is quite possible that this emphasis will decrease.

Although no grants were classified in the "drug and alcohol" category, it should be noted that the categories used are not mutually exclusive and that a number of the juvenile delinquency and corrections grants deal with drug and alcohol problems, even though their overall functions warrant a more generalized classification.

GMIS records of the functional distribution of block grants tend to verify the grant sample analysis, although it should be kept in mind that the GMIS data is incomplete and uses a different classification system. Moreover, GMIS deals with fiscal year funds, while ACIR examined calendar year awards. Table 11 shows that, according to GMIS, in FY 1974 the police received 35 percent of the Part C funds, compared to 58 percent in FY 1969. Corresponding changes can be seen in the courts and corrections categories. The amount of Part C funds allocated to courts increased from nine percent in FY 1969 to 13 percent in FY 1974; corrections awards climbed from 16 percent of Part C funds in FY 1969 to 21 percent in FY 1974. Thirty percent of the total Part C and E block funds were allocated to corrections. Non-criminal justice agencies also received an increasing share of the monies, with 15 percent of the FY 1974 Part C funds going to agencies of this type.

To determine the extent to which Safe Streets funds were used to support innovative rather than routine activities, grants were classified according to two additional sets of categories. The first set, shown in Table 12, reflects the degree to which the activities had been attempted at the state or local level prior to Safe Streets funding.

As Table 12 indicates, 75 percent of the funds were used to support activities new to the locality. Twenty-five percent were awarded to activities that had been previously attempted in the recipient local jurisdiction, fourth highest among the 10 case study states. This figure seemed surprisingly high to the ACIR field team, given Minnesota's stated emphasis on innovation, and may be due in part to the generally progressive nature of the state's criminal justice system. In addition, it may be attributable to the difficulties inherent in classifying the grants.

The second set of categories used to assess the innovative nature of activities supported by Safe Streets funds is shown in Table 13. Again, the overwhelming majority of funds (74 percent) was used for new activities and only a very small amount (one percent) for routine activities.

The emphasis on innovation seems to reflect the executive director's view that the major purpose of the Safe Streets program is to initiate and test new and different approaches to reducing and controlling crime. Some state and local officials interviewed, however, believe, that the state has placed too much emphasis on innovation and not enough emphasis on providing resources to meet basic needs and to sustain funding for projects once they have been initiated. County and municipal government questionnaire responses indicate that, although many local officials agree with the view that innovation is the primary objective of Safe Streets assistance, the majority believe that the most important

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*Subsequent to the Minnesota field work, the crime commission abandoned the once-a-year funding procedure.

Table 12

Prior Attempts of Activity
1974 Grant Sample

	Number of Grants	Percent of Grants	Amount of Funds	Percent of Funds
Never attempted anywhere	4	3	438,223	5
Never attempted in state	41	27	2,249,897	24
Never attempted in locality	76	50	4,414,682	47
Had been attempted in locality	32	21	2,391,491	25
TOTAL	153		$9,494,293	

objective is either to provide funds to supplement local budgets or to give localities greater flexibility in the use of Federal aid (see Table 14).

To sum up, based on an analysis of grants awarded in 1974, Minnesota allocates a larger percentage of its funds to corrections than do all other case study states. In addition, most funds are used for service projects. Very few Safe Streets dollars are used to support activities that are routine.

Grant Processing

As stated earlier, the state plan does not really dictate specific funding decisions, although it does provide general guidance. All final decisions are made by the crime commission during the funding process, subsequent to LEAA's approval of the state plan.

Minnesota awards grants once a year. The commission establishes a review schedule that insures that all applications from units of local government are acted upon within 90 days of receipt. The schedule also makes it possible to fund grants in May, thus allowing projects to become operational on a fiscal year basis.

The process for local applicants is generally as follows: (1) the development of an application by the local unit, frequently with the assistance of regional or coordinating council staff; (2) a review and endorsement of the application by the local governing body and the chief executive officer; (3) a

Table 13

Degree of Innovation
1974 Grant Sample

Degree of Innovation	Number of Grants	Percent of Grants	Amount of Funds	Percent of Funds
New	115	75	7,023,444	74
Expansion	30	20	1,986,855	21
Update	3	2	399,387	4
Routine	5	3	84,607	1
TOTAL	153		$9,494,293	

review and recommendation by the RPU board or advisory council;* (4) a review by the designated A-95 clearinghouse if the A-95 clearinghouse is not the same as the regional council; (5) a review and recommendation by the staff of the crime commission; (6) a review by the appropriate commission subcommittee and (7) a review and approval or disapproval by the full commission.

The crime commission encourages the regions to establish the same deadlines as the commission, so that applications can be reviewed jointly. A-95 review is generally concurrent with the regional and state review. State agency applications are submitted directly to the crime commission and, in addition, to the Minnesota state planning agency for A-95 review.

Because all applications are reviewed and acted upon as a whole under the annual funding method, they are, within the parameters set by the plan, in competition with each other for a limited amount of dollars; thus, priority-setting is very important. Priorities for local applications are established at a number of review levels. Applications from jurisdictions within the Twin Cities areas are first prioritized by the appropriate coordinating council. Subsequently, all applications from Region G (which includes Twin Cities area and five other counties) are ranked by the Criminal Justice Advisory Committee of the Metropolitan Council. These rankings may or may not reflect the priorities established by the coordinating councils. State agencies submitting more than one application are also asked to submit their priorities to the commission.

The staff of the crime commission reviews all local (local review is carried out jointly with the regional advisory councils) and state applications, with each subsystem team prioritizing applications within its functional category. Copies of the application, staff recommendations, together with the recommendations of the regions and the coordinating councils, applicant responses, and any supplementary information, are then transmitted to the appropriate functional section of the commission's grant committee: policing, adjudication, corrections, juvenile justice or "cross-system." Each grants committee section reviews applications in its area and recommends funding or denial to the full commission. The commission, in an all-day session, then makes the final decisions. In general, only those applications over which there is some disagreement or controversy are specifically discussed.

Table 14

Rankings of "Most Important" Safe Streets Act Objective by Minnesota Municipalities and Counties

October 1975

Possible Objectives	Number
Provide state and local governments with a comprehensive criminal justice planning capacity	7
Provide funds to supplement state and local criminal justice budgets	11
Provide funds to support innovative pilot and demonstration criminal justice programs	12
Replace existing criminal justice expenditures by state and local governments	0
Give state and local governments greater latitude and flexibility in the use of federal funds for law enforcement and criminal justice	10
TOTAL	40

Source: ACIR 1975 Safe Streets Survey.

All regional and local coordinating council staffs interviewed, and the mayor of St. Paul, expressed dissatisfaction with the multiple levels of review for grant applications; they claimed that the process is duplicative, unwieldy and unnecessary. They believed that once regional and local plans are approved and incorporated in an approved state plan, the regional or local councils should be able to award grants on the basis of those plans without further and, as they view it, overlapping, reviews by the crime commission. Although they acknowledge that regional priorities were generally followed by the commission, they believed that this was more the result of coincidence than actual reliance on the regional or local councils. A recent study by the crime commission staff indicates that the commission does accept regional recommendations in most instances (see Table 15).

According to the interviews, the staff of the crime commission exercises the most influence in the funding process. The two coordinating council directors both indicated that the staff relationship was crucial and that they made an effort to informally negotiate with appropriate commission personnel prior to submitting applications in order to insure that projects were tailored to the interests and priorities perceived by the staff.

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*Applications from localities in the Twin Cities area are reviewed by the appropriate coordinating council before they are submitted to the region.

The Minnesota system differs from that of the majority of SPAs in that grant awards are generally made at only one time during the year. There is apparent disagreement within the state as to the efficiency, fairness and effectiveness of such an approach. Those in favor of one-time funding point out that it enables staff to spend more time planning and less time reviewing and processing applications. In addition, they claim, it allows the commission to look at all applications at once and to decide what to fund and what not to fund on a merit basis, rather than on first-come, first-served basis. Thirdly, it enables the commission staff to better track the award and expenditure of fiscal year funds, and thus to reduce the amount of unutilized monies. State agency interviewees generally favored annual funding, as long as funds could be requested during the interim for emergency situations.

Other interviewees, particularly regional and local staff, indicated that one-time funding unduly restricts their ability to respond to emergency situations or to initiate projects when the time and opportunity is right. They believe that the decision to only fund annually is primarily for the administrative convenience of the crime commission staff, and ignores the realities of developing and implementing projects at the local level. In addition, they point out that the process has been set up so as to allow projects to operate on a fiscal year, while most local government budget cycles are on a calendar year.

Of the 41 localities responding to the question "Have you experienced any major delays since 1973 in the grant award process?," 12 counties and municipalities answered affirmatively and 29, negatively. The major factor contributing to these delays, in the view of the respondents, was the time lag between the preparation of the regional and local plans and the annual award of grants by the crime commission. The five regions responding to the RPU questionnaire estimated that the length of the grant process, from the development of the application through the receipt of funds, ranged from a minimum of 23 weeks to a maximum or 52 weeks.

Table 15

Comparison of 1975 Regional Priorities and Crime Commission Grant Awards

Region	Total Grants Submitted	Region Recommended Funding Within Allocation and GCCP&C Awarded	Percent	Region Recommended Funding from Discretionary Money and GCCP&C Awarded	Percent	Region Recommended Denial and GCCP&C Denied	Percent	Region Recommended Funding and GCCP&C Denied	Percent	Region Recommended Denial and GCCP&C Funded	Percent
A	12	2/2	100	8/10	80	0/0	-	2/12	16	0/0	-
B	18	10/11	90	3/4	75	1/3	33	1/15	6	2/3	66
C	6	4/4	100	1/2	50	0/0	-	1/6	16	0/0	-
D	12	12/12	100	0/0	-	0/0	-	0/0	-	0/0	-
E	14	11/11	100	1/1	100	2/2	100	0/0	-	0/0	-
F	19	15/18	83	1/1	100	0/0	-	3/13	15	0/0	-
G	49	27/28	96	16/16	100	5/5	100	1/44	2	0/0	-
AVERAGE			95.5		84		78		11		-

Source: Prepared by staff of Governor's Commission on Crime Prevention and Control (GCCP&C).

Continuation Funding

In 1973 the crime commission adopted a policy governing continuation funding that allows up to three years of Safe Streets support: the first two years at a 90/10 ratio and the third year at 60/40 ratio. According to the interviews, local governments believe that projects should be supported for a "reasonable period" at the 90/10 ratio, in order to demonstrate their effectiveness. One agency specifically mentioned that the three-year limit was too short to test new and innovative activities. Some interviewees also stated that they were increasingly hesitant to start new projects because of the long-term impact on their budgets.

The crime commission appears to be very successful in encouraging the assumption of project costs by state and local government. A few years ago, the crime commission staff conducted a survey to determine the status of Safe Streets-funded projects. This study revealed that 86 percent of the long-term projects that were initiated with Safe Streets funds, but which no longer received Federal support, are continuing to operate with state and local resources. Based on responses to the ACIR county and municipal questionnaire, the major considerations in determining whether or not a project will be continued by a local unit of government after the termination of Safe Streets funding are the proven success of the project and the financial condition of the grantee. Factors that were viewed as "very important" were as follows: the "ability of the government to support the project" – 46; the "proven success of the project" – 36; the "functional area of the project" – 17; the "project's innovativeness" – six; the "non-controversial nature of the activity" – five; and the "project's political strength" – five.

Buy-In

The buy-in provision of the Safe Streets Act requires the state to pay for one-half of the required non-Federal share of local programs supported by Part C funds – normally five percent of the total project costs because the required match is usually 10 percent. During the interviews, the Hennepin and St. Paul coordinating council staff directors voiced objections to the state's interpretation of this requirement and contended that the state buy-in should increase as the local share of the cost of an individual project rises, because the act states that the ". . . State will provide in the aggregate not less than one-half of the non-Federal funding." The staff directors' position regarding the interpretation of the buy-in provision is also supported by the National League of Cities – U.S. Conference of Mayors. The Minnesota Governor's Commission on Crime Prevention and Control, however, has adopted a policy that the state will provide only one-half of the 10 percent match regardless of whether or not the actual amount of non-Federal funding is more than the minimum required by the Safe Streets Act. In other words, under the crime commission's continuation policy, a local project in its third year of funding would be eligible to receive up to 60 percent in Federal funds; 35 percent of the costs would be borne by the locality, but the state buy-in would remain at five percent.

This issue was raised by the two coordinating councils with the LEAA regional office, which in turn requested a legal opinion by the LEAA Office of General Counsel. This opinion, issued in May 1974, sustained the crime commission's policy and stated that ". . . buy-in must be calculated against the total Part C pass-through, not against the local fund share, which may vary from grant project to grant project because of voluntary adjustment of the projects' sizes or State supervisory board requirements."[6]

Unused Funds

In FY 1973, Minnesota reverted to the Federal government no Part B or C funds and only $23,290 in Part E funds. Thus, it appears that the crime commission has developed an extremely efficient system for awarding its block grants and monitoring their expenditures so that unused funds may be reawarded and expended prior to the two-year expiration date. At one time almost all reverted money was reallocated to radio communications projects, but the state radio communications plan is now nearly completed.

Although the reallocation of reverted funds to some extent offsets some of the inflexibility of the state's once-a-year awards session, no formal procedures seem to exist for awarding unused funds. The executive director is empowered to make grants of up to $25,000 without the prior approval of the commission and can therefore award at his own discretion monies that otherwise might revert.

Evaluation

The crime commission established an evaluation unit in 1972 using Part C action funds. This unit now consists of about nine persons supported by a

$151,824 Part C grant and is responsible for evaluating crime-commission-funded projects, reviewing grant applications to insure that projects can be evaluated, establishing minimum data requirements for projects and providing technical assistance. The crime commission has recently received a one-year, $251,149 discretionary grant from LEAA that will enable it to vastly expand its technical assistance role through the training of personnel, the loaning of evaluation staff and establishing demonstration evaluation units in selected operational criminal justice agencies.

The crime commission staff believes that the activities of the evaluation unit have had considerable impact on the grants review process, particularly by specifying the kinds of special conditions that should be placed by the state on grants in order to insure that project achievements can be assessed objectively. In addition, evaluation information is used by state planning staff in developing programs and priorities for the state plan.

Minnesota's approach to evaluation is highly centralized, as is its approach to planning and funding. Although the crime commission appears to believe that centralization assures both consistency and quality and is the most efficient use of limited resources, the present evaluation system, according to five interviewees, has some drawbacks from a regional and local perspective. The most significant appears to be that information is not received in a manner and at a time that enables it to be used by local governments and regional and local councils in developing and reviewing applications. These councils believe that since it is local governments that bear the fiscal burden of continuing projects as Safe Streets funds decline, local governments should have evaluation reports available to them in a more timely and usable fashion. As a result, local and regional councils favor developing their own evaluation capability. Previous planning grants awarded by the crime commission to these agencies, however, have specifically prohibited their use to support evaluation activities. Although current planning grants no longer have this prohibition, it appears unlikely that the present level of funding could adequately support a regional and local evaluation effort.

The Hennepin County Criminal Justice Coordinating Council (HCCJC) has adopted a formal policy statement encouraging the crime commission to grant Part B and C funds to regional and local criminal justice planning units for evaluation and monitoring purposes. The HCCJC contends that evaluations by crime commission staff ". . . have not always been provided to local government officials. Further, when this information has been made available, it has addressed not the concerns of local government; but rather, the concerns of Crime Commission staff."[7]

Responses to the county and municipal questionnaires were mixed in their assessment of the state's evaluation system. No local officials viewed it as "excellent." However, 11 respondents (24 percent) rated the evaluation system as "good;" 14 (31 percent) as "fair;" 13 (29 percent) as "poor;" and seven (16 percent) said that the system "should be abolished."

There was also criticism of the evaluation program from a state Department of Corrections staff member who questioned the objectivity and reliability of a staff evaluation on residential community corrections projects—a comment made by at least two other persons interviewed.

IMPACT OF THE SAFE STREETS ACT

Since 1969 Minnesota has received approximately $48 million of Safe Streets block funds, yet its crime rate has increased by about 74 percent. As in other case study states, interviewees indicated that the impact of the Safe Streets program could not be measured simply in terms of crime reduction and that perhaps, given the causes and dimensions of crime, it is unrealistic to expect the Safe Streets program to control crime.

A number of persons cited improvements in the state's criminal justice system resulting from the Safe Streets Act, including improved pre-trial services for misdeameanants, the development of alternatives to incarceration, the increased diversion of juveniles from the criminal justice system, the expansion of volunteer programs, and the improvement of management and planning capabilities. A major improvement, in terms of systems integration, was the establishment of a statewide radio communications network.

As in other states, the Safe Streets program in Minnesota has for the first time created a forum for criminal justice and other governmental officials to exchange information and ideas, but as yet it has not brought about comprehensive systemwide planning. As the crime commission's executive director stated, that kind of planning and coordinating function is nearly impossible unless an agency is granted authority and resources far greater than those presently possessed by the crime commission.

The Minnesota crime commission has emphasized efficient planning to achieve the maximum impact for Safe Streets funds rather than truly comprehensive planning for the criminal justice system. The executive director views the agency's role primarily as one of granting funds to support projects designed to test different approaches to reducing crime and improving the criminal justice system, evaluating these approaches and disseminating the results. Thus, the crime commission has stressed innovative programming, planning, research and evaluation. As mentioned previously, however, some state and local agencies question not only the emphasis on innovation but also the degree to which the crime commission has as yet failed to develop a planning and evaluation capability. Nevertheless, based on the interviews, it would appear that in general there is agreement with the executive director's position. Some officials interviewed stressed that the commission should become even more involved in setting policy, encouraging legislative action to improve the criminal justice system, and providing technical assistance and less involved in processing and administering grants.

Whether or not the crime commission would continue to exist in the absence of Federal support is difficult to assess. Interview responses generally indicated that the agency would probably continue, but at a drastically reduced level. The executive director stated that it was likely that the crime commission would contine to operate in some capacity without Safe Streets funds, but that it would have substantially less support and would be of low priority in the state government. Responses regarding the continuation of regional planning units were mixed, but it is possible that those RPUs that have merged with the regional development councils may be more viable, since the RDCs have other sources of financial support. The Metropolitan Council in Region G, of course, has the soundest financial and structural base. It is also unclear whether or not the two local coordinating councils would continue, although both are already substantially involved in activities not related to the Safe Streets program, both receive financial support other than Part B planning funds and either are, or are in the process of becoming, permanent agencies of the City of St. Paul and Hennepin County, respectively.

SUMMARY OF MAJOR ISSUES

Based on the field interviews and the survey data, it appears to ACIR that the overriding issue in Minnesota is the role and authority of the different levels of government—state, regional or local—in administering the Safe Streets program. The regional and local view is that the state should delegate its present control over funding and grant administration to the regions (or coordinating councils) and redirect its resources to evaluation, planning, legislation and technical assistance. Most regional and local officials interviewed advocate that the crime commission assign to the regions (or coordinating councils) authority to review and approve project applications based on state-approved plans. They believe that if the crime commission decentralized the grants process in this manner, the program would become more efficient and responsive to local needs. Basically they contend ". . . that projects are implemented at the local level, that they are soon paid for by local taxes, and that meaningful planning for effective and efficient programs can best be done locally . . . The State should approve the local plans that are consistent with and demonstrate solutions to the identifiable problems. The role of the State would become that of monitor—to insure that the ongoing local programs conform to the submitted plan. The State can provide important technical assistance such as research and examples of sucessful new approaches, but it cannot readily adjust its planning outlook to reflect differing local needs, problems, and capabilities."[8] In essence, the regional and local perspective is that there is presently an imbalance between decision-making authority in the Safe Streets program and responsibility for providing and financing criminal justice services.

The crime commission, on the other hand, sees the program as the state's responsibility and has made a determined effort to retain decision-making authority at the state level while providing opportunities for regions and local governments to express their needs and priorities. The crime commission's executive director asserts that responsibility and accountability rest with the governor and, therefore, that authority and control must also rest with the governor.

Minnesota has some of the characteristics of a decentralized state: its regional planning units prepare annual plans; target allocations are made on the basis of a formula; and regional recommendations are, for the most part, adhered to in the awarding of grants by the commission. Despite these factors, however, decentralization in Minnesota is more apparent than real. The allocation of funds to the regions is for planning purposes only; it is not a guarantee of funding. Furthermore, only three-fourths of the available local monies are included in the allocation. Twenty-five percent of the local Part C funds and all of the Part E award are allocated at the crime commission's discretion. In recent years regions have submitted annual plans, but it is difficult to assess the degree to which these plans have formed the basis of the state plan, because the state plan only identifies specific projects about half of the time. Actual funding decisions are made on the basis of individual grant applications and can be made only by the crime commission or, under certain circumstances, by its executive director. Thus, it is the state that has 366 primary control over the use and distribution of Safe Streets funds.

Other major issues include:

1. **The relationship between the Metropolitan Council (Criminal Justice Region G) and the two local coordinating councils.** The degree of responsibility and authority in the Safe Streets program is unclear between the regional and the local councils in the Twin Cities area. Coordinating council staff directors think the region should only focus on truly regionwide programs and the five outlying counties, and leave planning and application review for Hennepin/Minneapolis and Ramsey/St. Paul to the local councils. The regional criminal justice program director, on the other hand, believes that the Metro Council has a responsibility to look at the entire region and set priorities accordingly. He believes that local councils should focus on developing countywide comprehensive criminal justice plans, irrespective of Safe Streets funds, and leave the job of Safe Streets planning and grant processing to the region. At present, the lack of definition as to regional and local responsibilities seems to lead to needless duplication of effort and to conflict, in the opinion of these officials.

2. **Responsibility for evaluation.** The crime commission has established an evaluation system that is seen by regions and the CJCCs as generally not useful for their needs. Regional and local councils believe that they should be allowed to establish their own evaluation capability, but the state has given them neither the resources or the authority to do so. On the other hand, the crime commission thinks that by keeping responsibility for evaluation at the state level they are better able to insure consistency and quality and to effectively use limited evaluation resources.

3 **Continuation funding and buy-in policies.** The crime commission limits funding to three years. A number of officials think there is a need for more sustained funding due to the economic plight of local governments and the need to demonstrate program effectiveness. The three-year limit, however, helps to insure that a significant number of new projects can be initiated each year. In addition, it appears that state and local governments are assuming most of the projects initiated with Safe Streets funds. Some local officials believe that the state buy-in share should increase as the local match increases, but the crime commission views the increased local share as an incentive to encourage project assumption and thus does not increase the state buy-in. The crime commission's interpretation of the state's buy-in obligation is supported by an LEAA legal opinion.

4. **Annual funding.** The crime commission awards grants once a year; this allows greater time for planning and expedites fund flow. However, some recipients find that annual funding limits their flexibility, minimizes the ability of crime commission members to review applications due to the heavy volume and is out of phase with local budget cycles. They also believe that annual funding is more tailored to the administrative convenience of crime commission staff than to the real needs of grant recipients.

5. **The degree of innovation.** The crime commission emphasizes innovative projects, because it believes that is the most effective way to use the relatively limited amount of Safe Streets funds coming into the state. However, recipients do not always see innovative activities as their primary need. They believe that there is a limit to the numbers and kinds of innovative projects that can be developed and implemented. In addition, some think that Minnesota is a progressive state with a fairly modern and sophisticated criminal justice system and that what is needed is more resources, not more ideas.

6. **The role of the executive director.** Because of the strong relationship of the executive director to the governor and the apparent desire by the governor to delegate almost total autonomy to the executive director, the Minnesota Safe Streets program largely reflects, both in style and substance, the personality and policy choices of the current executive director. He is by far the most central and dominant influence in the program and has considerable latitude and authority, both formal and informal.

   While his relationship with the governor offers many advantages to the administration of the program, it also raises the question of what will happen when a new governor is elected. Once before, in 1971, in the transition from the administration of Harold Levander to that of Wendell Anderson, the program was seriously disrupted; almost all staff and commission members resigned, the executive director post remained unfilled for about six months and virtually all activity ground to a halt for almost a full year. Although the program is far more routinized and institutionalized today (most staff have civil service tenure), the same kind of dangers, though perhaps to a far lesser degree, might be present if a change in the governorship should occur. It also seems likely that without the strong central leadership that now exists, the program would be much more subject to the pressures already being exerted from regional and local interests.

7. **The role of staff.** Crime commission staff appear to have more influence in decision-making than do the members themselves, primarily due to the strong role exercised by the executive director. Complaints have been raised by some state, regional and local officials that staff are inexperienced and arrogant.

8. **The role of the state legislature.** Minnesota, like several of the other case study states, is currently grappling with the issue of the role of the state legislature in the Safe Streets program. At present, the legislature is primarily involved through the Legislative Advisory Commission, which makes recommendations to the governor concerning matching funds. However, there appears to be an increasing interest in the Safe Streets program by members of the legislature and a desire by some to establish a stronger degree of legislative control over the program. This interest seems to be the result of legislators wanting more influence over the initiation of state agency projects, which they are later asked to continue, and also of lobbying efforts of some regional and local officials who advocate decentralizing the program.

In conclusion, Minnesota is an example of a state with strong, highly centralized administration of the Safe Streets block program; most authority is retained at the state level. Although local governments play an important role in financing and delivering criminal justice services, regional and local criminal justice planning units exercised only limited influence in planning and funding decisions of the Safe Streets program. The crime commission has emphasized innovative and efficient programming, and participants point to a number of positive system improvements that are a direct result of Safe Streets funds. Nevertheless, the crime commission views its role as primarily administering a Federal grant-in-aid program and does not seek to broaden its role in relation to other components of the state-local criminal justice system.

FOOTNOTES

[1] U.S. Department of Justice and U.S. Department of Commerce, *Expenditure and Employment Data for the Criminal Justice System 1972-73* (Washington, D.C.: Government Printing Office, 1975), pp. 24-25.

[2] U.S. General Accounting Office; U.S. Law Enforcement Assistance Administration, Office of Audit; and Minnesota, Legislative Audit Commission, *State of Minnesota, Report on Administration of the Program to Reduce Crime in Minnesota*, January 1974, p. 22.

[3] Minnesota, Governor's Commission on Crime Prevention and Control, *1976 Policies and Planning Guidelines*, p. 13.

[4] *Ibid.*, p. 64.

[5] *Ibid.*, p. 72.

[6] U.S. Department of Justice, Law Enforcement Assistance Administration, Office of General Counsel, Legal Opinion 74-76, May 23, 1974.

[7] Hennepin County, Minnesota, *Hennepin County Criminal Justice Plan*, p. IX-2.

[8] Lawrence D. Cohen, Mayor of St. Paul, Minnesota, remarks to State Planning Agency Directors Annual Meeting, Boston, Ma., 1972.

APPENDIX 1
Minnesota Site Visits

In addition to interviewing state officials in St. Paul, the field team visited three of the state's criminal justice regions. These were selected, with the help of the crime commission's executive director, in order to provide for both a geographic and an urban-rural balance. Region C is a predominantly rural, nine-county region in the western part of the state with a total population of approximately 184,000. Region F is a primarily rural, twenty-county region in the southern part of the state with a total population of approximately 634,000. Most of the field work concentrated on the Twin Cities area, however, because of its dominance in the state in terms of population and crime problems. The Twin Cities are encompassed by Region G, a seven-county area with a total population of about 2,000,000. Together, these three regions account for approximately 72 percent of the state's total population. Hennepin County, including the City of Minneapolis, has a population of 960,000–25 percent of the total state population–and 44 percent of the state's index crime. Ramsey County (including the City of St. Paul) has a population of 476,000–13 percent of the state's total population–and 22 percent of the state's index crime. Each of these city-county areas has a fully staffed and operating criminal justice coordinating council.

Interviews Conducted in Minnesota

State

SPA Staff

Robert E. Crew, Jr., Executive Director
Cynthis Turnure, Planning Director
William Lucas, Grants Administrator
Timothy Hennessey, Director, Evaluation Unit
Elizabeth Reveal, Director, Standards and Goals
Stanley Lebsack, Accounting Officer

State Budget Office

Douglas Watnemo, State Program Management Coordinator for Protection, Regulations, and Economic Development
Thomas Lee, Program Analyst
Richard Manthey, Program Analyst

State Legislature

Rep. Gordon Voss, District 47B, Member House Appropriations Committee
Rep. Anne Carlson, Member, House Crime Prevention and Corrections Committee, District 58B
Rep. Pete Petrafeso, District 41B, Member, House Crime Prevention and Corrections Committee
Sen. Bill McCutcheon, District 67, Senate Judiciary Committee
Gail Hansen, Chief of Staff, House Crime Prevention and Corrections Committee
Rep. Donald Moe, District 65B, Chairman, House Crime Prevention and Corrections Committee

State Agencies

Warren Spannaus, Attorney General
Robert Sheran, Chief Justice of the Supreme Court of Minnesota
Richard Kline, State Court Administrator
Betsy Buckley, Grants Administrator, Department of Corrections
Paul Tschida, Superintendent, Bureau of Criminal Apprehension, Department of Public Safety

Regional and Local

Mayor Albert J. Hofstede, City of Minneapolis
John O'Sullivan, Director, Hennepin County Criminal Justice Council
Peter Franklin, Director, St. Paul-Ramsey County Criminal Justice Advisory Committee
Mayor Lawrence D. Cohen, City of St. Paul
John R. Jensen, Chief of Police, City of Minneapolis
William Mavity, Program Manager, Criminal Justice Metro Council, St. Paul, Minnesota
Kenneth Young, Director of Court Services, Hennepin County, Minneapolis, Minnesota
Everett Rollie, Director Crime Commission, Region C
Dean Doyscher, Director, Region 9, Regional Development Commission
Ronald Wiborg, Director, Criminal Justice Advisory Council, Region F
Charles Alexander, Chief of Police, Mankato, Minnesota

APPENDIX 2

Responses to Local Questionnaires*

Minnesota

1975

Population Group	Counties			Cities		
	Number Surveyed	Responding		Number Surveyed	Responding	
		No.	%		No.	%
Over 500,000	1	1	100	0	0	
250,000-500,000	1	1	100	2	2	100
100,000-249,999	3	1	33	1	1	100
50,000- 99,999	4	1	25	2	1	50
25,000- 49,999	21	9	43	17	10	59
10,000- 24,999	46	14	30	35	14	40
TOTAL	76	27		57	28	

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*The distribution of counties and cities by population grouping was derived from the 1975 *Municipal Year Book* and the 1975 *County Year Book*, both of which use 1970 Census of Population figures. Discrepancies between the total number of counties and cities indicated above (76 and 57, respectively) and the number actually surveyed (75 and 54, respectively) can be attributed to efforts by the International City Management Association's Urban Data Service to update its records.

APPENDIX 3
Governor's Commission on Crime Prevention and Control

September 1975

Rosemary Ahmann, Commissioner, Olmsted County
Charles D. Alexander, Chief of Police, Mankato
Keith Brownell, County Attorney, St. Louis County
Willis Eken, State Legislator, District 2B
William B. Farrell, Mayor, Shoreview
Viola Foldesi, Counselor, American Indian Fellowship Association, Duluth
Ronald Haskvitz, Attorney, Minneapolis
Calvin F. Hawkinson, Chief of Police, Plymouth
C. Paul Jones, State Public Defender
Francis Judge, Worthington
Robert F. Labathe, Deputy Chief of Police, St. Paul
Jonathan Lebedoff, District Court Judge, Hennepin County
David P. Loftness, Director, Scott & Carver, County Govt. Services
Calton Mortensor, Sheriff, Ottertail County
Richard T. Mulcrone, Minnesota Corrections Authority
Gail Murray, Judge, St. Louis County
Elmer C. Nordlund, Captain, Minneapolis Police Department
Dean O'Borsky, Chief, Hutchinson Police Department
Loraine Rehder, Probation Officer, Goodhue County-Wabasha
Robbert Ridder, Chairman of the Board, WCCO, Minneapolis
Kenneth F. Schoem, Commissioner, State Department of Corrections
Linn Slattengren, County Attorney, Chisago County
Warren Spannus, Attorney General
Jose Trejo, St. Paul Chamber of Commerce
Paul Tschida, Superintendent, State Bureau of Criminal Apprehension

Missouri

Missouri is a mid-continental state with a population of 4,757,000. Most of the inhabitants reside in urban communities; about one-fourth live in rural areas.

Missouri is the 14th most populous state in the nation, according to 1972 U.S. Census Bureau statistics. It has the 19th highest crime rate, with 4141.4 reported index crimes per 100,000 inhabitants, according to the FBI's 1973 "Uniform Crime Reports."

The distinguishing characteristic of the State of Mssouri's participation in the Safe Streets program is decentralization. Seventy-six percent of the state's total criminal justice funds are spent by counties and cities.

ORGANIZATION OF STATE GOVERNMENT

Under the 1945 constitution, the Missouri General Assembly was established as a bicameral body consisting of a House of Representatives elected on a population basis and a Senate elected on a geographic basis. Legislators serve two-year terms and meet for alternate annual sessions of six months and four months.

Missouri's judicial branch consists of the Supreme Court, an appeals court having three districts and 115 courts of general trial jurisdiction grouped into 43 circuits. The Supreme Court is primarily an appellate court but also has superintending control over all inferior courts. The Court of Appeals, which has general appellate jurisdiction, is divided into three districts: St. Louis, Kansas City and Springfield. Under provisions of the "Missouri plan," vacancies on the Supreme Court and appeals courts are filled by appointment of the governor, who chooses from a list of three names submitted by a nonpartisan Appellate Judicial Commission. Appellate judges serve twelve-year terms.

Six elected officials, led by the governor, make up the executive branch of state government. Since passage of the Omnibus State Reorganization Act of 1974, every state agency must be attached, if only for administrative purposes, to one of the following 14 departments: agriculture; conservation; consumer affairs, regulation and licensing; elementary and secondary education; higher education; highways; labor and industrial relations; mental health; natural resources; public safety; revenue; social services; and transportation.

Missouri's local government is centered in 114 counties, one of which is the City of St. Louis. The major county executive officer is the presiding judge, who is elected.

According to the 1972 "Census of Governments," there are approximately 894 incorporated municipalities in Missouri, 82 percent of which have a population of less than 2,500. The largest jurisdictions—St. Louis, Kansas City, Springfield, St. Joseph and Columbia—are the hubs of the only Standard Metropolitan Statistical Areas (SMSAs) in Missouri. Cities are largely independent of state and county governments.

THE CRIMINAL JUSTICE SYSTEM

State-Local Criminal Justice Organization

The Omnibus State Reorganization Act of 1974 created the Department of Public Safety (DPS) "to provide overall coordination in the State's public safety and law enforcement program, to provide channels of coordination with local and federal agencies in regard to public safety, law enforcement and with all correctional and judicial agencies with regard to matters pertaining to its responsibilities as they may interrelate with the other agencies or offices of state, local or federal governments."[1] The Department of Public Safety is divided into eight major units. These include three planning or support units for public safety activities, four law enforcement units and the Adjutant General's Office. The director of public safety is appointed by the governor (with senate confirmation).

The planning and support units are the Division of Staff Services, the Missouri Council on Criminal Justice and the Division of Highway Safety. The Division of Staff Services is responsible for overall coordination and budgeting within the DPS. The Missouri Council on Criminal Justice (MCCJ) is the designated supervisory board of the Missouri Safe Streets state planning agency (SPA). The Division of Highway Safety administers Missouri's comprehensive highway safety program.

The law enforcement activities of the Department of Public Safety are carried out through four divisions. The Missouri Highway Patrol is primarily responsible for enforcing laws on the state's highways. The Division of Liquor Control and the Division of Water Safety ensure compliance with the liquor and waterways statutes. The State Fire Marshal's Office is concerned with fires and arson. The Office of the Adjutant General of the Missouri National Guard assists the director of public safety in matters relating to disaster planning and emergency coordination.

All division heads are directly responsible to the director of public safety. The superintendent of the Highway Patrol, the supervisor of the Division of Liquor Control, the boat commissioner and the adjutant general are appointed by the governor; all other division heads are employed by the director of public safety.

The only general law enforcement agency at the state level is the Missouri Highway Patrol, which
374 has 800 commissioned officers. Its jurisdiction is highways and state roads. Functioning at the county level are 115 sheriffs, 540 full-time deputies and 5,000 part-time deputies. City police departments vary in size from one officer to 2,220 (in St. Louis). Both the Kansas City and St. Louis police departments are governed by a board of police commissioners who are appointed by the governor. In all categories, there is a total of 7,473 commissioned law enforcement officers in Missouri.

The major divisions of the Missouri corrections system are located within the newly created Department of Social Services, the department responsible for all state programs in the fields of health, welfare, corrections, probation and veterans services. As a result of the 1974 reorganization, the director of corrections is appointed by the director of social services. The largest institution in the state corrections system is Missouri State Penitentiary, which has 1,500 inmates. Other correctional facilities include the Missouri Training Center for Men, the Missouri Intermediate Reformatory for Young Men (ages 17 through 25), the Fordland Honor Camp, Church and Renz Farms and the State Correctional Center for Women.

A three-member, bipartisan Board of Probation and Parole, appointed by the director of social services, oversees Missouri's probation and parole services, with their six regions, 25 districts and four institutional parole offices. The state has seven halfway-house programs, which provide transitional assistance to about 350 parolees. In 1974, the general assembly provided funds to expand probation and parole services to the criminal courts and to implement innovative projects.[2]

County sheriffs supervise corrections functions at the local level. The 3,000 persons who comprise the average daily population of the 144 county and city jails in the state are either awaiting trial or serving short terms.

The state judiciary's unifying agent is the Supreme Court. The state's 43 circuits have a court in each of Missouri's 115 counties. These courts have jurisdiction over all criminal cases and juvenile proceedings. Courts of special jurisdiction include two common pleas courts and the St. Louis Court of Criminal Correction. In 92 of the 115 county magistrate courts, the probate and magistrate functions have been combined. A lack of basic judicial management statistics for the state court system prompted the establishment of the State Courts Administrator's Office in 1970.[3]

The Missouri Public Defender Law of 1972 requires a circuit public defender for indigents accused in felony cases. There is no such provision for indigents in misdemeanor cases or for juveniles—nor is there provision for state administration of the public-defender program.

The Missouri Juvenile Code of 1957 dictates the structure of the Missouri juvenile justice system. The Juvenile Court has exclusive, original jurisdiction over children under 17 years of age who are neglected, dependent or delinquent. Juvenile Court judges are the chief administrative officials of the Juvenile Court. In 40 of the 43 judicial circuits, there is at least one full-time, court-appointed juvenile officer. Throughout the state, there are 328 full-time and 11 part-time Juvenile Court personnel, 39 group homes and six local, juvenile correctional facilities.

The Missouri Division of Youth Services (a division of the Department of Social Services) is the only state agency devoted to treatment of juvenile offenders. The division has assumed the responsibilities of the State Board of Training Schools and operates 10 group homes, two training schools and six after-care offices.

The breakdown of total criminal justice expenditures in Missouri during fiscal years 1972-1973 (see Table 1) reveals a primarily local criminal justice system. The state spent $49,587 on criminal justice; counties and municipalities, $38,744 and $115,308, respectively. The largest state outlay was for police protection (37 percent); the smallest was for public defense (two percent). Both counties and

Table 1

Distribution of Direct Criminal Justice Expenditures in Missouri
FY 1972-1973

(In Thousands)

	State		**City**		**County**		**Total Local**		**Total**	
	$	**%**	**$**	**%**	**$**	**%**	**$**	**%**	**$**	**%**
Police protection	18,558	37	95,557	83	15,097	39	110,654	72	129,212	64
Judicial	10,587	21	6,525	6	10,714	28	17,239	11	27,826	14
Legal services and protection	1,071	2	3,603	3	3,474	9	7,077	5	8,148	4
Indigent defense	926	2	401	0.3	238	0.6	639	0.4	1,565	8
Correction	17,980	36	9,060	8	9,221	24	18,280	12	36,260	18
Other	465	0.9	163	0.1	-	-	163	0.1	628	0.3
TOTAL	$49,587	100	$115,308	100	$38,744	100	$154,052	100	$203,640	100
PERCENT OF TOTAL	24		57		19		76		100	

Source: U.S. Department of Justice, and U.S. Department of Commerce, *Expenditure and Employment Data for the Criminal Justice System 1972-73* (Washington, D.C.: Government Printing Office, 1975), pp. 32-33.

municipalities spent the largest amounts of their criminal justice dollars on police protection—39 percent and 83 percent, respectively.

THE STATE PLANNING AGENCY

The Missouri Law Enforcement Assistance Council (MLEAC), created in 1969, operated as the state planning agency under the Safe Streets Act until the 1974 reorganization. Because of the consistently negative relationship between the Missouri General Assembly and the MLEAC, the governor provided a fresh start for the Safe Streets program under the reorganization by abolishing the MLEAC and transferring its powers and duties to the Department of Public Safety.[4]

The Reorganization Act authorized the director of public safety to appoint such advisory bodies as
376 required by Federal laws or regulations. Since the Safe Streets Act provides that the governor designate the state planning agency, Governor Christopher S. Bond issued an executive order naming a state committee on criminal justice, to be established by the director of public safety, as the SPA. The director created the Missouri Council on Criminal Justice (MCCJ) and appointed its chairman and members. The council advises the director of public safety on matters pertaining to criminal justice and acts as the supervisory component of the SPA called for by the Safe Streets Act.

To insure some continuity, the director of public safety appointed many members of the MLEAC to the MCCJ. Currently, the council is composed of 20 members, none of whom is ex officio. Table 2 indicates that citizen representatives constitute the largest single category of membership. Only four members are elected officials—a judge, a sheriff, a mayor and a state legislator. Eight members represent state agencies. Two MCCJ members also sit on their respective regional crime councils.

The MCCJ has six standing committees: priorities, police, adjudication, corrections, juvenile justice and criminal justice information systems. The chairman of each committee is appointed by the chairman of the MCCJ and the director of public safety from the council membership. Chairmen of all standing committees sit on the Priorities Committee, which acts as the coordinating body for the standing committees. Each standing committee has 10 to 15 members, recommended for appointment to the committee by the chairman.

Although the MCCJ has no bylaws, it has adopted resolutions covering such items as standing committee structure and operating procedures for planning and grant review. The council usually meets monthly at locations throughout the state.

Most interviewees thought that the major role of the MCCJ and its predecessor, MLEAC, had been to rubber-stamp local applications and regional plans. In fact, the MCCJ has almost total formal authority over all aspects of the Safe Streets program, including the allocation of Part B funds. Although this authority is rarely used, several regional and local officials expressed resentment that this potential for state dominance of the program existed.

When the Safe Streets program began in 1969, the MLEAC staff was part of the Department of Community Affairs, but by July 1970, the SPA staff had begun to function independently of this agency. During the reorganization of state government in 1974, the Department of Public Safety planned to integrate the SPA staff into a Division of Planning and Program Development, which was to be responsible for developing statewide priorities for all public safety expenditures and for coordinated criminal justice planning at the state level. The personnel, organizational and operational changes required to accomplish this goal, in addition to the problems facing the Safe Streets program, were of such magnitude that the plan was impos-

Table 2

Missouri Council on Criminal Justice 1975 Membership

By Function	
Citizen	6
Adjudication	4
General Government	2
Corrections*	3
Juvenile	2
Police	3
By Level of Government	
Public	7
State	8
Local	5

*Also includes some members who have juvenile-justice-related functions but are not included under the juvenile justice category.

Source: FY 1976 Missouri planning grant application.

sible to implement. Instead, the director of public safety created the MCCJ staff and a separate Division of Staff Services, which performs all administrative functions for the Department of Public Safety. The MCCJ staff carries out the day-to-day operations of the Safe Streets program and serves as the staff to the supervisory board. The executive director of the MCCJ is selected by the director of public safety and is responsible to him.

In 1969, the MLEAC staff consisted of 10 authorized positions. Prior to the reorganization, the executive director was employed by the council, and staff members were not covered by the state's merit system. The first executive director served from 1969 to 1973; his successor served until the reorganization. Leadership changes, reorganization uncertainties, lack of coverage under the merit system and other difficulties contributed to an SPA staff turnover of 36 persons in the 32-month period prior to July 1975. According to state and regional officials familiar with SPA operations at that time, the high rate of turnover decreased the staff's efficiency, effectiveness and credibility. Stability appears to be returning as the reorganization takes effect.

The size of the MLEAC staff and the necessity of Part B matching funds to support the SPA have been persistent and perplexing problems. Since 1969, the general assembly has usually appropriated less than the amount needed to match the 60 percent Part B monies available for support of the SPA. More than the 40 percent minimum has been earmarked for use in the regions.

The first executive director though that his staff size was insufficient to accomplish the council's mission and sought a way around the general assembly's inadequate appropriations. Many of the functions the limited SPA staff was unable to perform were related to regional and local operations. The executive director created a TECH TEAM to carry out these functions and funded the venture through the regional crime council (RCC) of the capital area. In effect, the TECH TEAM was a part of the SPA, but it was financially supported by the RCC, which received an increase in its Part B allocation to accommodate the additional personnel.

Mid-Missouri Regional Crime Council officials became concerned when the size of the tech team exceeded that of the MLEAC and forced the SPA to remove the group from the regional payroll. The LEAA regional office said that a 1973 audit of SPA operations had revealed this practice. The MLEAC, which at this time was having difficulty obtaining matching funds from the general assembly, simply shifted the funding of the team to an RCC willing to include the staff on its payroll. The new executive director terminated RCC funding of the TECH TEAM in 1974, shortly after his arrival, because he though that it was a subversion of the intent of the general assembly. The general assembly finally appropriated the funds needed for SPA support of the TECH TEAM in 1975.

At the time of the field research, the SPA staff consisted of 23 professionals and eight clerical staffers, supported with Part B funds. In addition, an evaluation unit to receive Part C funds was being staffed. Most of the professional staff members had both advanced degrees and professional experience in their respective fields.

REGIONAL PLANNING UNITS

Missouri has 19 regional crime councils (RCCs) across the state. Their legal authority derives from an agreement among participating units of local government pursuant to state statute (Section 251.020 RS Mo. 1969). Only six RCCs were established in time to receive FY 1969 Part B funding. By FY 1970, Part B monies were being allocated to nine RCCs, and by FY 1971, such funds were awarded to 18 RCCs. Since FY 1972, all 19 RCCs have received Part B dollars.

The boundaries of the RCCs are coterminous with those of the state's multi-county planning districts. Four RCCs are part of regional planning commissions, which are multipurpose planning units and A-95 clearinghouses. The importance of the regional planning commissions varies widely throughout the state. Some are actively involved in planning and implementing substantive programs; others act only as coordinating bodies. The remaining RCCs have entered into a memorandum of agreement with their respective regional planning commissions, pursuant to Office of Management and Budget Circular A-95.

Composition of RCC supervisory bodies also varies. Each region has its own bylaws, which include the method for selection and appointment of members. Bylaws were adopted by the participating units of local government when establishing the RCCs and have been revised as needed. Under legislation approved by the Missouri General Assembly, the presiding judge of a county must be a member of any regional council encompassing that county if the council deals with manpower plan-

Table 3

Functional Composition of the Regional Crime Councils 1975

Region	Police	Courts	Corrections*	Juvenile	Citizen	General Local Government	Total Membership
I	2	4	0	2	3	4	15
II	5	10	0	4	6	4	29
III	5	8	1	3	2	4	22
IV	14	10	0	4	6	8	42
V	2	3	2	3	3	2	15
VI	6	1	2	4	6	11	30
VII	5	1	0	2	3	8	19
VIII	12	5	1	5	4	7	34
IX	4	3	1	3	9	8	28
X	6	5	0	2	4	2	19
XI	13	5	0	3	0	6	27
XII	6	5	0	3	1	3	18
XIII	3	1	1	2	0	9	16
XIV	10	3	0	2	2	3	20
XV	7	6	1	2	1	6	23
XVI	8	3	0	1	2	1	15
XVII	14	2	1	2	0	2	21
XVIII	6	1	0	2	6	8	23
XIX	8	2	0	3	2	4	19
TOTAL	136 (31%)	78 (18%)	10 (2%)	52 (12%)	60 (14%)	99 (23%)	435 (100%)

*Does not include county sheriffs.

Source: FY 1976 Missouri planning grant application.

ning, aging, health planning, law enforcement assistance, community action, countywide sewer districts, solid waste management, county planning and zoning, or the University of Missouri extension program.

Table 3 presents functional composition and total membership of the 19 RCCs. Council sizes range from 15 to 42 members. Overall, corrections appears to have little representation; however, the figures in Table 3 for this function do not include sheriffs who operate the county jails. The police function has the most representation on all RCCs combined, but a plurality is held by representatives of the courts on two RCCs, of the general public on one RCC and of general local government on four RCCs. Police representatives make up a plurality on eight RCCs and a majority on two RCCs. While citizen representatives usually account for a major part of an RCC's composition, two councils have no such members. Elected officials—law enforcement specialists, local chief executives and legislators—constitute a majority on all 19 RCCs.

Table 4 presents representation of elected officials, which ranges from 51 percent of membership in Region II to 81 percent in Region XIII. RCCs have an average of 59 percent elected officials, 40 percent of whom represent general local government.

Several representatives of the courts expressed a great deal of concern about inadequate judicial representation on RCCs. They pointed out, however, that the separation of powers doctrine could be violated by their participation on these primarily executive-branch bodies. The problem is exacerbated by the boundary variations between judicial circuits and the statewide planning districts, even though both are based upon the county unit.

When the Safe Streets Act was amended in 1973 to require that regional planning units be composed of 50 percent elected officials, many Missouri RCCs had to reconstitute their supervisory bodies. Reactions to the amendment were mixed. Several local interviewees were pleased because they thought that elected officials should be responsible for policy and funding decisions. Others, including some regional planners, expressed concern that many important elected officials would not have the time to participate in RCC activities.

Table 5 summarizes the reactions of county and city officials to the elected composition requirement, as reported in the 1975 ACIR survey of city and county experience under the Safe Streets Act. The

Table 4

Representation of Elected Officials on the Regional Crime Councils
1975

Region	Total	General Local Elected	Criminal Justice Elected	Total Elected	Percent of Total
I	15	4	4	8	53
II	29	3	12	15	51
III	22	2	11	13	59
IV	42	8	17	25	59
V	15	3	5	8	53
VI	30	11	6	17	56
VII	19	7	3	10	52
VIII	34	8	10	18	53
IX	28	12	3	15	53
X	19	2	8	10	52
XI	27	6	11	17	63
XII	18	3	9	12	66
XIII	16	8	5	13	81
XIV	20	3	9	12	60
XV	23	5	11	16	69
XVI	15	1	7	8	53
XVII	21	3	12	15	71
XVIII	23	8	7	15	65
XIX	19	4	6	10	52
TOTAL	435	101	156	257	59

Source: FY 1976 Missouri planning grant application

responses of Missouri officials were mixed: 25 percent saw "no effect" and 21 percent reported "increased the influence of chief executive and legislative members." When asked the same question in the commission's survey of regional planning units, one-third of the Missouri RCC directors indicated that the change had had no effect, and one-half said it had increased the influence of chief executive and legislative officials.*

The RCCs are an important component of the Safe Streets program in Missouri, according to most interviewees. The strength of regional councils is attributable, in part, to the limitation of SPA staff size, the concentration of financial resources for criminal justice at the local level, and the decentralization of responsibility for planning and allocation decisions. According to the FY 1976 planning grant application, the basic functions of the RCCs are as follows:[5]

1) Study and assess the problems of criminal activity within the regions' area of legal jurisdiction;
2) Assist local and state agencies with the development of programs which will reduce crime by increasing the efficiency of the components of the criminal justice agencies within the region;
3) Establish new and innovative programs that will:
    a) Increase the probability of the apprehension of persons who violate

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*In June 1975, ACIR mailed a questionnaire to all criminal justice regional planning units in the country. By October, responses had been received from 17 of the 19 Missouri RCCs and from the only criminal justice coordinating council in the state, for a response rate of 90 percent. In addition, in order to probe the attitudes of local elected officials, questionnaires were sent to all cities and counties of 10,000 or more population. By October, 24 of 51 Missouri cities and 24 of the 84 counties to whom the survey was mailed had responded, for a response rate of 47 percent and 29 percent, respectively.

the criminal statutes of the State of Missouri,

b) Assist the expedition of the adjudication process of those charged with criminal offenses, and
c) Improve the rehabilitation process with more effective methods to reduce the probability that convicted offenders will not commit further violations of the statutes of the State of Missouri;

4) Be knowledgeable of those practices and procedures which will improve the effectiveness of the criminal justice system;
5) Establish and maintain a mechanism that will insure a flow of information on local problems of crime and to recommend to the state and Federal governments alternative strategies in addressing those problems;
6) Assist the State and Federal governments with the development of awareness within the local communities of the needs and problems of the criminal justice system; and
7) Assist the State Council in providing the legislative bodies of state and federal governments with the best possible information to assist them in legislation that will improve the effectiveness of the criminal justice system.

Regional staffs are supported with Part B funds, but are employed by and responsible to the regional councils. Throughout the state there are 34 full-time and 18 part-time RCC professional staff members. The largest RCC staff (12 professionals) is located in Region V, which includes St. Louis. Several regions employ only one part-time professional. RCCs that are part of regional planning commissions are able to provide full-time staff support for criminal justice planning functions. All RCC executive directors have degrees from institutions of higher education, commensurate experience or both. Since May 28, 1971, the MCCJ has reserved the right to approve the employment of all full-time RCC executive directors and to review RCC staff salaries and qualifications. Staff turnover has not generally been a problem at the regional level; in the three regions visited, staff members had considerable tenure. They said they had been called upon by the SPA for planning assistance during the period when it was experiencing a high degree of turnover in its professional ranks.

SAFE STREETS PLANNING

Safe Streets planning activities in Missouri are characterized by emphasis on funding and regional control.

Table 5

Views of County and City Officials on the Effects of the 1973 Amendment to the Safe Streets Act That a Majority of RPU Board Membership Consist of Local Elected Officials

October 1975

	Cities	Counties	Total
Increased the influence of chief executive and legislative members	4	6	10
Reduced the influence of criminal justice functional representatives	3	2	5
More realistic programming	1	2	3
No effect	10	2	12
Other	1	0	1
No response	5	12	17

Source: ACIR 1975 Safe Streets survey.

The Planning and Decision-Making Process

The seven-month process used to develop the 1975 comprehensive plan followed the planning pattern used by the SPA since the beginning of the program:[6]

1) Standing committee meetings must be scheduled to discuss standards and goals that would be desirable for implementation in Missouri. From a state level perspective, the Standing Committees then determine the problems with regard to implementing the goals or standards and what action must be taken to alleviate the problem.
2) Within the same time frame as the above actions, the SPA staff must schedule a meeting with regional planning personnel to distribute, for comment, an existing systems questionnaire. This questionnaire was distributed by the regional staff among criminal justice agencies to determine basic inventory data, time flows, workload, and opinions on legislative or policy programs. After comments were received from the regional planners, questionnaires were revised and data collection was implemented.
3) Standing Committees meet to develop goals, program descriptions, and program guidelines to be recommended for inclusion in the Annual Action Plan. Regional appeals were heard and final proposals submitted to the Priorities Committee.
4) Priorities Committee will serve as the second level of appeal for dissatisfied regional agencies. After hearing appeals, the priorities Committee can review standing Committee action on goals, program descriptions, and program guidelines. Alterations can be made if necessary, and the Priorities Committee will recommend approval by the Council at large.
5) The State Council formally adopts goal statements, program descriptions, and program guidelines. This action provides constraints within which regional planners could begin to formulate project proposals consistent with the planned development of the State criminal justice system.
6) A potential applicant must submit a preliminary project proposal to the Regional Planning Agency responsible for criminal justice planning in the applicant's geographic area.
7) The Regional Planning Agency reviews the project proposal to determine whether or not the proposal is consistent with State council action and will contribute to the alleviation of a previously identified problem within the region. After review, the region formulates a priority ranked list of project proposals (including cost estimates).
8) Within the same approximate time frame as #7 above, informal discussions between regional and State planning councils concerning the possibility of cooperative program and funding efforts occurs.
9) Funding recommendations are then developed by the MCCJ Priorities Committee based on their knowledge of State funding requirements, regional requests, and federal distribution formulas and guidelines.
10) Regions are advised of Committee action and given the opportunity to appeal directly to the Priorities Committee. After hearing appeals, the Committee finalizes funding recommendations to the Missouri Council on Criminal Justice.
11) After hearing final appeals from regional agencies concerning the action taken by the Priorities Committee, the Missouri Council on Criminal Justice approves the final planning document and requests the staff to submit it to LEAA.

Throughout the life of the Safe Streets program in Missouri the annual planning process has included: the development of regional plans based upon guidelines set forth by the SPA, the inclusion of preliminary project proposals in priority order in the regional plans, and the compilation of the regional plans and state agency needs into a state comprehensive plan. In short, the state plan is a listing of programs and projects to be funded in the coming year.

Annual regional plans vary widely despite the SPA planning guidelines. After an investigation of the SPA, conducted in August 1974 for the period August 1968 to June 1972, LEAA auditors made the following statement:[7]

> Our evaluation of seventeen regional plans disclosed that only two plans complied with the SPA's guidelines. There was no evidence available indicating that the SPA returned these plans to the regions or that an attempt was made to obtain additional information from the respective Regional Planning Councils. We were advised by the SPA research section that the staff did not actually have the authority to disapprove and/or return regional plans which did not comply with SPA guidelines due to the Supervisory Board's attitude on regional autonomy. Consequently, the SPA staff could not take the steps necessary or enforce its own procedures to assure a uniform approach to the Statewide planning effort.

382

Although regional compliance with SPA guidelines has improved since the audit, several RCC plans continue to contain only preliminary project proposals listed in priority order. RCCs that received Part B money in FY 1969 are usually better able to meet SPA guidelines than those RCCs not supported until 1971. The amounts of funding allocated to many regions in 1971 were not large enough to provide immediate planning capability in most of the newly formed councils.

The 1975 state planning process not only expanded the procedures used in comprehensive plan development, but also attempted to increase use of data collection and analysis as planning tools. Step two in the planning process was designed to increase available data by asking the regions to collect basic criminal justice information—a necessary step because of a general lack of statewide data collection. Uniform crime reporting is a local option throughout Missouri; the state does not act as a central repository for crime information. In 1973, uniform crime reporting was done by 98 percent of the Missouri law enforcement agencies in Standard Metropolitan Statistical Areas, 78 percent of the nonmetropolitan cities and 49 percent of the rural jurisdictions.[8] Inadequate crime data poses a difficult problem for Missouri criminal justice planners.

The FY 1975 Missouri comprehensive plan reveals that the regions did not provide all the information requested; some regions did not supply any data for the planning process. The SPA staff admitted poor questionnaire design and thought that many regional planners had been unable to obtain and analyze the requested information. Although the MCCJ scrutinized the 1975 regional plans more carefully than before, they accepted all the plans submitted.

Table 6

Views of County and City Officials on the Extent to Which the State Comprehensive Plan and Regional Plans Reflect and Incorporate the Criminal Justice Needs and Priorities of Their Jurisdiction

October 1975

	Significantly	Adequately	Very Little	Not at All	No Response
State Plan					
Cities	0	5	13	3	3
Counties	2	6	3	3	10
Total	2	11	16	6	13
Regional Plan					
Cities	3	7	8	3	3
Counties	7	4	1	2	10
Total	10	11	9	5	13

Source: ACIR 1975 Safe Streets survey.

The goals, program descriptions and program guidelines developed by the standing committees of the MCCJ are usually broad enough to encompass all proposals eligible for funding under the act. While developing the 1975 plan, the council began to set policy in broad areas, such as prohibiting the funding of equipment (vehicles and weapons). However, the MCCJ continues to allow the RCCs to make the basic decisions on proposals.

City and county responses to the ACIR survey question probing the degree to which state and regional plans reflected and incorporated the needs and priorities of the respondent's jurisdiction indicated that local officials feel excluded from the state planning process (see Table 6). Twenty-two of 48 respondents noted that their needs and priorities were reflected "very little" or "not at all" in the state plan. However, 21 of the 48 respondents believed that the regional plans "significantly" or "adequately" reflected their needs and priorities.

The MCCJ supervisory board and staff are more active in determining funding for state programs than for regional projects. Missouri's criminal justice agencies submit to the SPA a list of needs for Part C grants in priority order, with cost estimates. The priorities of the state agencies are usually respected. The staff makes recommendations to the appropriate MCCJ standing committee and to the Priorities Committee about which state agency priorities should be included in the state plan. The MCCJ makes all final decisions; staff recommendations and the needs of the state agencies are the most influential factors in their determinations. Most state agency requests are funded.

The courts were the only functional component at the state level to express dissatisfaction with the process used to plan for state agency needs. Reflecting concern about inadequate representation on the MCCJ and violation of the separation of powers doctrine, courts spokesmen did not think that the executive branch has the right to plan judiciary priorities. Courts spokesmen favored development of judicial planning capacity and submission of a special plan to the SPA, based upon funding allocated in advance and not subject to MCCJ review or approval.

Because of its importance to funding, the decision-making process that establishes the priorities of the state comprehensive plan is of concern to officials at all levels of government in the state. Most interviewees thought that their function was underrepresented on the MCCJ and the amount of potential funding for appropriate projects thus limited. A great deal of regional concern was expressed about the power of the MCCJ, even though the council normally defers to the RCCs on all planning decisions. Regional planners and local officials in urban regions noted an absence of urban-oriented members on the MCCJ, particularly representatives from large cities and counties having substantial public service delivery responsibilities.

Funding Adequacy

Many interviewees drew attention to the increasing involvement of RCCs in the Missouri Safe Streets program. Table 7 shows Part B allocations to the regional crime councils since 1969, when only six of the eventual 19 had been established. When new RCCs were formed, a minimum amount of funding was usually provided. Most RCC planners and SPA personnel thought that Part B funds for planning in the regions had not been adequate, especially during the early years of the program. In contrast, only seven of the 48 cities and counties that responded to the ACIR survey thought that their RCC had inadequate planning capacity. Both regional and state staffs judged that the SPA had received adequate support, despite its difficulties in obtaining matching funds. In the ACIR regional survey, more than 80 percent of the respondents indicated that Part B funds for the SPA were "excessive" or "adequate," while 75 percent of the respondents thought that the same funds for the regions were "inadequate."

The inadequacy of Part B monies in the regions resulted in the award of Part C grants in FY 1971 and FY 1972 for RCC administration. The regions argued that if government agencies, universities and private organizations could charge overhead costs to an action subgrant, they should be able to use Part C support for RCC functions related to subgrant administration. The recent audit disallowed these grants and, after a legal opinion by the Office of General Counsel, LEAA's regional office began negotiation with the SPA to recover the several hundred thousand dollars involved. The action was taken despite LEAA's approval of the comprehensive plans that included these grants in 1972 and 1973. The LEAA regional office stated that the audit revealed an attempt to disguise the use of Part C monies for regional planning operations.

Each region is informed of the amount of Part C funds tentatively available to it for the coming

Table 7

Part B Allocations to Missouri Regions
FY 1969-1975

Region	1969	1970	1971	1972	1973	1974	1975	Total
I	$41,939	$58,262	$ 54,778	$108,122	$145,000	$ 85,968.45	$108,830	$602,899.45
II	10,000	10,385	16,336	19,373	25,000	42,635.00	35,573	159,302.00
III	6,692	9,249	18,609	28,831	22,000	30,457.00	28,293	303,433.00
IV	2,231	7,503	9,474	9,353	15,000	35,126.08	36,629	115,316.08
V	74,506	66,540	105,035	137,213	170,000	135,722.00	229,341	918,357.00
VI	7,138	10,308	9,133	9,620	14,000	16,816.00	20,075	87,090.00
VII		7,500	7,500	7,500	9,000	11,577.13	7,748	50,825.13
VIII		7,500	6,139	10,417	13,000	26,643.79	17,669	81,368.79
IX		7,500	7,748	8,174	12,000	21,904.00	17,023	74,346.00
X			7,466	14,966	9,000	4,909.17	6,222	42,563.17
XI			3,600	7,500	9,000	11,968.22		32,068.22
XII			3,600	7,500	9,000	8,284.00	6,046	34,430.00
XIII			3,600	7,500	9,000	10,724.18	11,916	42,740.18
XIV			7,466	7,500	9,000	11,339.11		35,305.11
XV			7,466	11,100	12,750	10,000.00	10,566	51,882.00
XVI			3,866	11,100	10,000	10,526.37	14,029	49,521.37
XVII			7,466	7,500	9,000	10,476.10	11,212	45,654.10
XVIII			7,466	9,231	9,000	9,757.00	10,918	46,372.00
XIX				14,966	11,000	22,857.00	14,910	63,733.00

Source: Missouri Council on Criminal Justice, July 1975.

Table 8

Part C Allocations to Missouri Regions
FY 1969-1975

Region	1969	1970	1971	1972	1973	1974	1975	Total
I	101,789	761,923	1,601,847	1,483,651	1,662,257	1,702,520	1,658,281	8,972,538
II	30,426	213,469	416,917	484,778	543,142	510,085	510,079	2,708,896
III	16,241	168,589	334,545	385,232	432,558	348,088	348,070	2,033,323
IV	7,335	129,325	241,787	282,957	318,213	232,210	232,206	1,444,033
V	138,293	1,452,440	3,030,530	3,126,167	3,504,096	3,590,418	3,427,492	18,269,436
VI	17,325	140,543	249,689	272,730	305,424	279,979	279,968	1,545,658
VII		41,905	90,452	105,683	105,644	89,814	89,819	523,317
VIII		100,373	188,618	241,366	269,315	238,366	238,351	1,276,389
IX		107,323	197,700	231,820	259,535	283,741	267,136	1,347,255
X				25,000	65,000	68,021	68,029	226,050
XI				25,000	65,000	89,594	87,079	266,673
XII				25,000	65,000	74,236	74,249	238,485
XIII				25,000	65,000	153,778	153,778	397,556
XIV				25,000	65,000	73,077	73,084	236,161
XV				25,000	65,000	85,122	85,134	260,256
XVI				25,000	65,000	153,340	153,348	396,688
XVII				25,000	65,000	96,787	96,796	283,583
XVIII				25,000	65,000	77,732	77,748	245,480
XIX				203,866	227,940	303,958	229,782	965,546
TOTAL	$311,409	$3,115,890	$6,352,085	$7,043,250	$8,213,394	$8,450,866	$8,150,429	$41,637,321
Percent of Part C award	55	75	82	75	75	78	76	

Source: Missouri Council on Criminal Justice, July 1975.

year before it selects priority preliminary project proposals for inclusion in the regional plan. In 1975, the state passed through 76 percent of the Part C block grant to local projects. Because no adequate crime information exists, the regional allocation formula is based on population figures. Eighty-five percent of the pass-through is distributed among all RCCs, according to each region's percentage of total state population. The remaining 15 percent is allocated to the regions that encompass SMSAs, in proportion to the state's SMSA population in each region, in order to provide additional resources to high crime areas. Regional and local officials interviewed from the metropolitan regions indicated that if the crime rate were a specific variable in the formula, they would receive even more money. Some thought that urban areas were being penalized for the lack of crime reporting in non-urban areas.

Table 8 shows the distribution of Part C funds to the regions from 1969 to 1975. Ten of the regions did not receive Part C funds until FY 1972; most regions received funding at a flat rate until FY 1974. Compared to Part B awards, Part C allocations show a lag of about one year, attributable to prior planning requirements of the SPA. The distribution of Part C funds on a statewide basis according to population was not a reality until FY 1974 and FY 1975.

Table 9 illustrates the relationship between the amount of Part C and Part B funding and the percentage of the state's population found in recipient regions. In order to account for the gradual involvement of regions in the planning funds allocation process, this table only includes Part C funding since 1972 and Part B funding since 1971. Most of the regions that were late to participate in the Safe Streets program received less than their share of

Table 9

Missouri
Comparison of Regional Allocations to Population

Region	Part C (1972-1975)		Part B (1971-1975)		Percent of State Population
	$	%	$	%	
I	6,506,979	.20	502,698	.20	.19
II	2,048.084	6	138,917	6	5
III	1,497,707	5	287,492	.12	5
IV	1,065,586	3	105,582.08	4	4
V	13,648,173	.43	777,311	.31	.39
VI	1,138,101	3	69,644	3	3
VII	390,960	1	43,325	2	1
VIII	987,308	3	73,868	3	3
IX	1,042,232	3	66,846	3	3
X	226,050	1	42,563.17	2	1
XI	266,673	1	32,068.22	1	2
XII	238,485	1	34,430	1	1
XIII	397,556	1	42,740.18	2	2
XIV	236,161	1	35,305.11	1	1
XV	260,256	1	51,882	2	2
XVI	396,688	1	49,529.37	2	2
XVII	283,583	1	45,654.10	2	2
XVIII	245,480	1	46,372	2	2
XIX	965,546	3	63,733	3	3
TOTAL	$31,841,798		$2,509,960.06		

Source. FY 1976 Missouri comprehensive plan, p. 10.

Table 10

Funding Distribution Among Large Cities in Missouri

	Cities of 100,000-250,000[c]	Cities of 250,000 & Over[c]	Cities Over 100,000
Population[a]	242,582	1,045,805	1,288,387
Number[a]	2	2	2
Percent of state population[a]	5	22	27
Index crime[a]	12,270	96,198	108,468
Percent of state index crime[b]	6	49	55
Part C award[b] 1972-1975	$526,062	$3,613,064	$4,140,126
Percent of Part C to state to localities	4	29	33

Part C funds to all localities = $12,510,786[b]
Population of Missouri in 1973 = 4,757,000[a]
Index crimes in Missouri in 1973 = 197,008[a]

a. *Source:* U.S. Department of Justice, Federal Bureau of Investigation, *Crime in the United States 1973: Uniform Crime Reports* (Washington, D.C.: Government Printing Office, 1974).

b. *Source:* LEAA's Grants Management Information System (GMIS) data. For a complete discussion of GMIS data, see chapter V.

c. Missouri Cities in the 100,000-250,000 population range are Springfield and St. Joseph; those with populations in excess of 250,000 are St. Louis and Kansas City.

Part C and/or Part B funds. The converse is true of early regional participants. Primarily urban regions, such as Region I (which contains Kansas City) and Region V (which contains St. Louis), were awarded more Part C funds than their population would appear to warrant. (At the same time, Region V received less than its share of Part B funds.) The large percentage of Part B funds, as compared to population, awarded to Region III (Mid-Missouri) reflects the use of regional Part B funds to support the SPA staff.

While the distribution among the regions appears equitable, the percentage of action funds awarded to large cities in the state is disproportionate with metropolitan crime indexes and population figures. Although cities of more than 100,000 population received proportionately more funds than their percentage of the state's population would warrant, they received substantially less than their proportion of the state's index crime could justify. Table 10 shows a comparison of index crime, population and Part C funding, using information derived from the "Uniform Crime Reports" and the LEAA Grants Management Information System (GMIS). The Impact Cities program displaced some of the Part C funding for St. Louis, thus reducing the total amount awarded to cities of more than 250,000 population (see below). Because the region that contains St. Joseph, a city between 100,000 and 250,000 population, did not participate until FY 1972, the funding now awarded to cities of that size in Missouri is probably more in direct proportion to crime and population.

A Planning Controversy

Several major controversies relating to the Safe Streets planning process and regional planning capacities arose during the period immediately prior to the 1974 reorganization, when the attorney general of Missouri was chairman of the MLEAC. Dissatisfied with the planning process, the attorney general commissioned a management consultant to study the operations of MLEAC and recommend alternative approaches. The final report contained two controversial recommendations. The first suggested consolidation of the 19 regional staffs into seven or eight to improve the effectiveness and efficiency of the use of Part B funds. (Only the regional staffs would have been affected, leaving the RCCs intact.) The second recommendation, known as "mandating," suggested that the MLEAC require that a percentage of regional funds be used for state priority programs. (RCCs would have been allowed to determine the use of the remaining regional dollars.) Mandated funds were to have been awarded to programs such as probation and parole, operated by local and regional offices of state agencies.

Lack of forethought about the diplomacy required to implement such recommendations caused the failure of the proposals and stirred a controversy that extended to the general assembly. According to several interviewees, the recommendations were made to the MLEAC without any consultation with the regions. Presentation of the two recommendations as a package reduced the chances that either would be adopted. In general, the RCCs viewed the recommendations as an attack by the SPA.

Although the MLEAC did not adopt either recommendation, regional planners and local officials complained to their respresentatives in the 388 general assembly about an SPA attempt to usurp regional authority. The controversy contributed to the assembly's unwillingness to provide Part B matching funds to the SPA.

The Impact of an Impact City

In 1972, LEAA initiated an Impact Cities program aimed at reducing burglary and stranger-to-stranger crimes in cities of 500,000 to one-million population. LEAA planned to provide $20 million to each of eight Impact Cities over a five-year period. Elements unique to the program emphasized crime analysis, planning toward the goal of reducing specific crimes and evaluation of the impact of programs and projects funded.

Selected as one of the eight Impact Cities, St. Louis had to designate an official planning staff to prepare an Impact plan. The city was part of the Region V RCC created in 1969, the same year the mayor of St. Louis had established a crime commission to advise him about the workings of the criminal justice system. The Region V staff, aware of the impending Impact Cities program, began related data collection and analysis before formal announcement of St. Louis' selection. Encouraged by LEAA and the SPA, the Region V staff, in conjunction with the crime commission staff, became the planners for the St. Louis Impact City program. The Mayor and the crime commission resented the decision, even though the executive director of the crime commission had participated in selection of planners for the program.

City officials had believed for some time that they lacked a real voice in the Safe Streets program, despite the fact that, in their judgment, the crime problem was concentrated in cities. Part of their frustration reflected the nature of the criminal justice system in St. Louis. Alarmed by political corruption of the police more than a century ago, the general assembly had established a Board of Police Commissioners appointed by the governor to operate the St. Louis Police Department. The board submits the police budget to the city, which must accept it and appropriate the required amount. The circuit court in St. Louis also operates under this budgetary structure, although it is a part of the state court system. Under that century-old law, the only major criminal justice functions controlled by the city are the detention of defendants and incarceration of convicted offenders sentenced to short terms. Some interviewees thought that city efforts to obtain control over the Impact City program reflected city hall's desire to regain some authority over the local criminal justice system. Other interviewees thought that the City of St. Louis wanted to control the program's vast funds.

The contest for control of planning and administration of the program continued after submission of the first plan. For the first two years of the program, decisions were made by a policy committee composed of the director of the crime commission, the executive director of the Region V RCC, the deputy LEAA regional administrator, and the MLEAC executive director. In 1973, a change in city administration and a new executive director of the crime commission, as well as LEAA's desire to institutionalize the crime analysis team concept in the Impact Cities, again raised the issue of which agency would operate the program. All planning, administrative and policy functions of the program were turned over to the St. Louis Crime Commission in June 1974. A year later, LEAA began to phase out the Impact Cities programs. The St. Louis Crime Commission staff was reduced from 24 to six people.

Many interviewees thought that the Impact Cities experience reduced coordination between St. Louis and adjacent jurisdictions. Despite evidence to the contrary, the localities thought that a spillover of crime from the city of St. Louis into their territory was caused by the program. The Impact Cities program affected allocation of block grant funds to the region. Some interviewees noted a

Table 11

Amount of Regional Awards to City of St. Louis FY 1971-1975

	Amount of Part C Funds Allocated to Region V[*]	Amount of Part C Funds in GMIS to St. Louis[**]	Percent of Regional Award
1971	$3,030,530	$1,937,907	63.94
1972	3,126,167	951,370	30.43
1973	3,504,096	1,371,640	39.14
1974	3,590,418	1,290,090	35.9
1975	3,427,492	980,572	28.6

[*] From Table 7.

[**] From GMIS. Since the City of St. Louis is the only city in Missouri with a population exceeding 500,000, it was assumed that the GMIS data for cities over 500,000 in Missouri referred to St. Louis.

decrease in city participation on the Region V RCC board.

Several persons at both regional and local levels suggested that the city did not receive block grant funds proportionate to its population because of the large sums allocated for the Impact Cities program (see Table 11). St. Louis comprises approximately one-third of the population in Region V, and, according to the data in Table 11, the allocation of action funds to the city appears to be in closer proportion to its population since the program began.

According to the 1973 "Uniform Crime Report," St. Louis accounted for approximately 12 percent of the state's population and 32 percent of its index crime. In 1973, 197,008 index crimes were committed in the State of Missouri and 63,852 index crimes were committed in the City of St. Louis. Table 12 reflects the GMIS data comparing nonstate awards (cities, counties and private agencies) with the awards made to St. Louis. The figures reflect a drop in the percentage of funding to the city from 1971 to 1972 and an overall proportion for the five-year period shown of 22 percent, which is also the average of the 1973 population percentage and index crime percentage in St. Louis. Although the Impact Cities program in St. Louis appears to have reduced Part C funding to the city, the city has received its share of block funds, as measured by crime incidence and population.

The final assessment of the Impact Cities program in St. Louis has not been completed. Because of the demise of the program and the budget crunch facing the city, city officials have asked the RCC to fund many of the projects initially supported with Impact Cities funds. The RCC has agreed to provide some continuation funding. It is apparent that the poor relationship between the city and the region was, in part, a result of the pressures generated by Impact Cities. The disruption in overall planning and the fiscal impact of Impact Cities funds still appear to have influence over the Safe Streets program in Region V.

Plan Implementation

The use of preliminary project proposals at the regional level insures that almost all of the activities described in the annual action plan are implemented. All local project applications are submitted to and approved by the RCCs. According to an MCCJ resolution effective Sept. 26, 1974, all grant applications must be received "60 days in advance of the project starting date."[9] The council must officially approve every grant award, but the actual decisions about individual projects are made during the development of the plan. Applications for projects not described in the annual action plan are not approved; those included are reviewed only for technical competency and conformity to the annual action plan description.

By using the preliminary project proposals, the MCCJ knows, once the plan is completed, which applications to expect and the amount of funding required. Therefore, the amounts listed for each

Table 12

Comparison of Part C Funding to All Missouri Localities and to Missouri Cities Over 500,000 Population FY 1971-1975

	Total Part C in GMIS	Non-State in GMIS	Part C to Cities Over 500,000 in GMIS	Percent Non-State to Cities Over 500,000
1971	9,930,423	6,698,615	1,937,907	28.9
1972	8,974,736	4,687,371	951,370	20.3
1973	11,028,169	5,853,703	1,371,640	23.4
1974	11,252,386	6,433,273	1,290,090	20.0
1975	9,686,201	5,624,971	980,572	17.4
TOTAL	$50,871,915	$29,297,933	$6,531,579	22.3

Source: GMIS data.

program in the annual action plan rarely are altered during implementation.

Once an award is made to a subgrantee, the region assumes most monitoring responsibilities. The depth and efficacy of monitoring efforts vary greatly. In some regions, monitoring activity is limited to facilitating communication between subgrantees and the MCCJ staff and making program and financial progress reports for the subgrantees. Because most funding decisions are made by the RCCs, some monitoring is conducted for use in their planning and allocation decisions.

Region V's field review is considred so complete that LEAA permits the MCCJ staff to accept the reviews in lieu of any direct, state-level monitoring. Region V officials said that information developed from the field reviews had caused the RCC to terminate several grants prior to completion and not to renew several others. Reliance on monitoring data reflects a high degree of confidence in the entire field review process. However, the extensive use of monitoring information, with emphasis on overall performance during the project period, is the exception rather than the rule in Missouri's program.

The MCCJ staff is in the process of beginning an evaluation program and creating an evaluation unit related to standards and goals efforts. How the information will be used is not yet clear, but there is some intention to make evaluation an integral part of the planning process. At a minimum, the evaluation results will be used in refunding decisions at state and regional levels.

The Federal Role

LEAA has played an important role in the administration of the Safe Streets program in Missouri. The relationship between the SPA and LEAA has ranged from interdependence to altercation. The LEAA-MCCJ relationship is not unusual in Missouri, a state that historically discourages Federal intervention. The Safe Streets program has engendered more disfavor in the general assembly than have many other Federal programs. Legislators resent two provisions of the program in particular: the governor's legal control of the administration of the Safe Streets program and the necessity for legislative appropriation of matching funds without commensurate control over the allocation of Safe Streets funds.

From an historical perspective, many of those interviewed believed that the problems that surfaced when the attorney general was chairman of the MLEAC were largely the result of LEAA interference. Consolidation of regional staffs to improve their quality was and continues to be supported by the LEAA regional office. During the period when the recommendations relating to regional consolidation and "mandating" caused the general assembly to approve a match amount to support 10 SPA staff members, the LEAA regional office recommended that the SPA have a staff complement of 45 to insure adequate implementation of the Safe Streets program in Missouri. The MLEAC requested increased appropriations in order to match the amount of Part B funds needed to support a larger staff, using the LEAA recommendation as justification. After the regional complaints, the general assembly reacted negatively to this request and to what it regarded as unwarranted Federal intrusiveness. At the time of the field team's visit, the SPA had an authorized complement of 31. The resignations of the executive director of the MLEAC and the attorney general as chairman of the group are attributed to the problems surrounding the appropriations process.

State and SPA officials still perceive LEAA interference. Although LEAA denies it, state officials thought that the LEAA regional office tried to discourage the reorganization of the SPA into an operating department by putting administrative stumbling blocks in their way. Because the decision has been made to attach all agencies to the 14 umbrella departments, officials believed they could not justify superseding statewide policy to accommodate Federal preferences.

Two other issues were further aggravating the relationship between state and Federal officials of the Safe Streets program at the time of the field research—"dedicated" computers and organized crime. Both are related to the use of Federal funds. The U.S. Department of Justice requires that criminal justice information systems funded with Safe Streets monies must have computers that are "dedicated" only to criminal justice purposes. The use of a computer belonging to a non-criminal justice agency for a criminal justice information system is prohibited. State officials thought that a non-dedicated computer would not prevent compliance with security and privacy regulations and would be the more efficient use of state resources.

The second issue involved the failure of the MCCJ to allocate funds for programs to reduce and control organized crime. Based upon the findings of a Department of Justice Federal Strike Force Against Organized Crime in Kansas City and St. Louis, the LEAA regional office staff considers organized crime a major problem in Missouri, which should not be ignored by the MCCJ. On the other hand, SPA staff sees several legal obstacles to effective control of organized crime, such as the failure of the general assembly to pass a witness immunity law and to create a Bureau of Criminal Investigation.

As instances of alleged Federal intrusion grow, friction between the LEAA regional office and the state increases. In an interview with the field team, Governor Bond stated that issues of Federal influence raise the question of who will run the State of Missouri—"a Federal bureaucrat or the officials elected by the people of Missouri." Despite such protestations, the LEAA regional office disagrees with Missouri officials' interpretations of these issues.

The findings of a recent LEAA audit and management review and the issuance of 1976 LEAA planning guidelines also have heightened tensions between the MCCJ and the LEAA. As previously mentioned, the audit disallowed the award of Part C funds to regions for functions relating to grant administration. The LEAA management review examined calculation of the state buy-in. According to the 1971 Safe Streets Act amendments, the states are required to supply at least 50 percent of the match required for action funds at the local level. Some states provide five percent of the total cost of every local project. In Missouri, the method of calculation of state match was not so clear cut The MLEAC staff counted as buy-in any increase in appropriations for primarily local projects that were also being supported with funds passed through under the Safe Streets program. For example, Safe Streets funds could be allocated by an RCC to a project operated by a regional or local office of the State Board of Parole. Increased appropriations by the general assembly for this project would be counted toward the state buy-in. Despite the fact that both the previous LEAA regional administrator and the current one had approved the Missouri planning grant applications in which this procedure was described, the state was held in noncompliance to the Safe Streets Act because the match and buy-in were not considered to be appropriated in the aggregate for buy-in purposes. The MCCJ staff awaits a decision from the LEAA Office of General Counsel on the use of a certification from the general assembly stating that the funds were appropriated for the purpose of state buy-in. If the decision is adverse, the LEAA regional office has recommended that the state be required to supply the needed state buy-in for the past three years —a sum of approximately $430,000 per year. Such a request could jeopardize the current normalization of relations between the MCCJ and the general assembly.

Confusion about LEAA guidelines added to the frustration of SPA and some state criminal justice officials. Unclear lines of communication between the LEAA regional office and the MCCJ staff com-

Table 13

Part B, C and E Grants Awarded to Missouri FY 1969-1975

Fiscal Year	Part B	Part C	Part E
	$	$	$
1969	409,150	564,485	0
1970	564,485	4,155,000	0
1971	568,000	7,760,000	565,000
1972	770,000	9,391,000	1,107,000
1973	1,085,000	10,897,000	1,282,000
1974	1,085,000	10,897,000	1,282,000
1975	1,189,000	10,789,000	1,270,000

Source: Missouri Council on Criminal Justice, July 1975.

pounded the problem. In a few instances, the state officials contacted the LEAA central office when they could not get responses from the regional office. The LEAA regional office has communicated directly with state and local officials on such issues as the availability of discretionary funds without consulting the MCCJ or the Department of Public Safety, an action described as "treasonous" by an official at the department.

In a Feb. 20, 1976 letter to ACIR, Governor Bond said that he was opposed to Federal programs "which undermine and impair Missouri's ability to assess its crime problems and to formulate reasonable solutions to those problems." However, the governor also said that the 1974 reorganization of state government has had a positive impact on relations with the LEAA regional office and that he looked forward to "increased support from LEAA in our efforts to prevent and reduce criminal activity and improve the administration of criminal justice in Missouri."

Although the situation has improved, two major factors contributing to friction and frustration between LEAA regional office and the SPA persist: Missouri continues to distrust Federal programs and fear Federal intrusiveness, and the Federal oversight function will always conflict with a state's desire to implement a block grant program.

SAFE STREETS FUNDING

Safe Streets block grants to Missouri have increased substantially since 1969—from $564,485 in Part C (action) funds in 1969 to $10,789,000 in 1975, and from $565,000 in Part E (corrections) funds in 1971 to $1,270,000 in 1975 (see Table 13). The peak reached in FY 1973-1974 and the decreases experienced in FY 1975 reflect leveling off and reductions of block grant appropriations by Congress on a nationwide basis.

The fluctuation in the numbers of Part C and Part E grants awarded can be seen in Table 14 below. The substantial number of action grants reflects the many small equipment grants awarded each year, a trend now reversing under a new MCCJ policy of not funding basic equipment grants. Most of the grants under the Part E block have been awarded to state agencies, which administer most of the state's correctional functions.

In order to determine the nature of the activities supported by Safe Streets funds in Missouri, the field team examined a sample of Part C subgrants awarded by the MCCJ from Jan. 1, 1974 to Dec. 31, 1974. A review of the 561 subgrants made during this period revealed that 288 of the total number funded were under $5,000. In order to insure that the sample adequately reflected the SPA's subgranting practices, an equal number of subgrants over $5,000 and under $5,000 was selected, resulting in 111 being included in the subgrant sample.

Table 14

Number of Grants Awarded in Missouri FY 1970-1974

Fiscal Year	Number of Part C Grants	Number of Part E Grants
1970	181	0
1971	460	15
1972	614	16
1973	745	49
1974	530	24

Source: Missouri Council on Criminal Justice, July 1975.

During calendar year 1974, counties received more than two-fifths of the subgrants awarded and nearly one-third of the action funds (see Table 15). This proportion of subgrants to counties reflects the concentration of certain criminal justice responsibilities, such as detention, at the county level. In addition, awards made to a county court, regardless of

Table 15

Recipients of Action Funds
1974 Grant Sample

Recipient	Number of Grants	Percent of Grants	Amount of Funds	Percent of Funds	Amount of Average Grants
State	12	11	288,288.82	26	$24,024.06
County	47	42	353,337.93	32	7,517.82
City	34	31	175,766.18	16	5,169.59
Other	18	16	300,638.41	27	16,702.13
TOTAL	111		$1,118,031.34		

Table 16

Distribution of Part C Funds by Recipient*
FY 1971-1975

Fiscal Year	State		City		County		Private		Total in GMIS	
	$	%	$	%	$	%	$	%	$	%
1971	3,231,808	32	2,867,610	28	3,313,829	33	517,176	5	9,930,423	100
1972	4,287,365	47	1,973,065	[illegible]	[illegible]882,447	20	831,829	9	8,974,736	100
1973	5,174,466	46	2,025,788	[illegible]	2,115,729	19	1,712,186	15	11,028,169	100
1974	4,819,113	42	1,810,638	16	2,703,089	24	1,919,546	17	11,252,386	100
1975	4,061,230	41	1,403,944	14	2,286,130	23	1,934,897	19	9,686,201	100
TOTAL	21,573,982	42	10,081,045	20	12,301,254	24	6,915,634	13	50,871,915	100

Source: GMIS data.

Table 17

Primary Activities Supported With Action Funds
1974 Grant Sample

Primary Activity	Number of Grants	Percent of Grants	Amount of Funds	Percent of Funds
Equipment	37	33	138,136.23	12
Construction	10	9	50,457.01	5
Services	41	37	765,640.00	69
Training	14	13	94,429.32	8
Personnel	9	8	69,368.78	6
TOTAL	111		$1,118,031.84	

its respective circuit, were considered county subgrants.

While the 1974 grant sample reflected a concentration of funds to counties, GMIS data reveal an emphasis on state projects. Table 16 presents GMIS figures on the distribution of Part C action funds, by recipient. The GMIS data appear to be incorrect because Missouri is required to pass through to units of local government a minimum of 75 percent of the action funds. In reality, the regions often request grants for local offices or district headquarters of state agencies (for example, for local boards of probation and parole), which are funded out of the regional rather than the state award. Table 8 indicates that Missouri has usually passed through more than 75 percent of its action funds to the regions (see p. 385).

Forty-one of the 111 action subgrants in the sample (37 percent) were used to provide services (see Table 17). Awards to the services category, including projects for juvenile delinquency prevention and treatment alternatives, police and court manpower, and offender rehabilitation, accounted for a majority (69 percent) of the funds. One-third of the subgrants were for equipment purposes, amounting to 12 percent of the funds. (During the 1974 calendar year, the MCCJ made 138 awards under $5,000 for the purchase of equipment.) Most small equipment grants in the sample were for police communications projects. Accounting for only nine percent of the subgrants and five percent of the funds, the construction activities included in the sample generally financed jail and court renovation.

Table 18 presents a breakdown of the 111 subgrants sampled by functional area. The largest number and percentage of subgrants were made in the police area. Of the 58 subgrants awarded in thi category, 30 (totaling $111,407) were for communications and information systems projects. These subgrants represented 10 percent of the total funds awarded in the sample. Although the court area received only 18 percent of the subgrants, it received the largest percentage (32.1 percent) of funds granted to functional areas. These monies were used for court renovations and legal assistance (for example, law clerks for judges and prosecutorial services).

A slightly different view of the expenditure pattern is provided in Table 19, developed from GMIS data. The police function has received less funding since 1969, while the courts and corrections have been awarded more monies. The funding of combination grants fluctuated greatly between 1969 and 1975. Compared with the other case study states, Missouri awarded a relatively high percentage of its total block grant to non-criminal justice functions. This percentage may not be actually higher, since many states require that a criminal justice agency be the primary subgrantee even though a non-criminal justice agent may be the ultimate recipient.

Table 20, prepared with the aid of the MCCJ staff, indicates that more than 56 percent of the funds awarded in 1974 were used for activities that had not been attempted by the recipient locality prior to the initiation of the Safe Streets program. Twenty-four percent of the funds awarded supported activities that had never been attempted in Missouri. Only one dollar in twenty was spent for activities that had already been tried in the recipient jurisdiction–usually training, equipment and manpower services. The findings presented in Table 21 indicate that in the judgment of the MCCJ staff

Table 18

Distribution of Action Funds by Functional Component
1974 Grant Sample

Functional Component	Number of Grants	Percent of Grants	Amount of Funds	Percent of Funds
Police	58	52.2	286,767.82	25.7
Courts	21	18.9	361,749.96	32.3
Corrections	11	9.9	203,065.81	18.2
Juvenile delinquency	20	18.0	241,785.95	21.6
Drugs and alcohol	1	0.9	29,701.00	2.7
TOTAL	111		$1,118,031.84	

more than 55 percent of the funds awarded in the 1974 sample supported new activities. Only 19 percent of the funds were used for routine undertakings, representing 55 percent of the total number of subgrants.

Missouri has divided its funds between state and private agencies, and localities. Grants to local governments were generally small (under $5,000), although the average size in 1974 was under $15,000. More than half of the funds supported service projects; one-third was awarded for equipment projects. Funds have been fairly evenly distributed among the police, courts and corrections functions. Compared with other case study states, Missouri spends more funds on routine activities and ranks fifth among the states studied in the percentage of previously attempted activities it supports.

Fiscal Issues

The most important fiscal issues facing the Safe Streets program in Missouri concern the findings of the LEAA audit and recent management review, indicating that a substantial reimbursement of misspent funds should be made to LEAA (Part C grants for planning and state buy-in).

All state, regional and local officials were asked if they thought that they had received their "fair share" of Missouri's Safe Streets funds. No respondents expressed complete agreement with the amount of funding their jurisdiction or agency had received. Most respondents thought that other groups received much more funding than they deserved, prohibiting them from receiving their fair share. Most contended also that the total amount of Safe Streets funds is too small to permit any one jurisdiction or agency to meet its needs. A plurality of the Missouri cities and counties responding to the ACIR local survey believed they did not receive a fair share of funding withim their region (see Table 22). Eleven of the 18 regional directors who responded to the ACIR regional survey said that their regions had not received a fair share of funds; the remaining seven indicated the opposite.

Until recently, the assumption of project costs had not been a big problem for most jurisdictions, because of the absence of multiyear programs and the lack of a continuation policy at the state level. The emphasis on equipment purchases and one-time projects in the past kept requests for continuation funding to a minimum. But the recent adoption

Table 19

Distribution of Funds in Missouri by Function of Recipient
FY 1969-1975*

Fiscal Year	Police		Courts		Corrections		Combinations		Non-Criminal Justice	
	$	%	$	%	$	%	$	%	$	%
1969	691,243	70	89,496	9	67,032	6	129,845	13	8,007	-
1970	1,839,191	47	745,133	19	604,312	15	640,952	16	33,027	-
1971	3,046,037	30	1,286,676	12	3,907,686	39	1,378,066	13	311,958	3
1972	2,687,846	29	2,419,658	26	2,093,550	23	919,879	9	853,803	9
1973	2,449,582	22	2,737,793	24	1,576,239	14	3,436,199	31	828,356	7
1974	3,585,134	30	2,904,246	24	2,809,624	23	1,553,417	13	884,852	7
1975	2,529,251	26	2,389,951	24	2,286,232	23	2,118,104	21	362,663	3
TOTAL	$16,828,284	30	$12,572,953	22	$12,859,788	23	$10,176,462	18	$3,282,716	5

Source: GMIS data.

*The percent of the annual Part C and E awards in GMIS for Missouri are as follows: 1969 to 1971 - Unknown; 1972 - 95.7; 1973 - 100.9; 1974 - 96.3; 1975 - 88.7.

Table 20

Prior Attempts of Activity 1974 Grant Sample

	Number of Grants	Percent of Grants	Amount of Funds	Percent of Funds
Never attempted anywhere	-0-	-0-	-0-	-0-
Never attempted in state	17	6.3	269,104.00	24.1
Never attempted in locality	66	59.5	633,672.95	56.7
Has been attempted in locality	38	34.2	215,254.39	19.2
TOTAL	111		$1,118,031.84	

Table 21

Degree of Innovation 1974 Grant Sample

Degree Innovation	Number of Grants	Percent of Grants	Amount of Funds	Percent of Funds
New	26	23.4	623,460.64	55.8
Expansion	18	16.2	218,232.56	19.5
Update	8	7.2	59,166.41	5.3
Routine	59	53.2	217,171.73	19.4
TOTAL	111		$1,118,031.84	

Table 22

Views of Missouri County and City Officials Surveyed on Whether Their Jurisdiction Received a "Fair Share" of Safe Streets Part C Action Funds as Compared with Other Juridsictions in Their Region

October 1975

	Yes	No	No Response
Cities	7	11	6
Counties	6	7	11
TOTAL	13	18	17

Source: ACIR 1975 Safe Streets survey.

of policies limiting equipment funds and establishing the number of years of funding permitted has led many state, regional and local officials to become more concerned about assuming the costs of programs. The new MCCJ continuation policy, adopted for initiation in FY 1975, allows for 90 percent Federal/10 percent local match for the first two years and 50/50 match in the third year, with no further Federal funding unless there are extenuating circumstances.

Officials at all levels are concerned about assuming project costs in an environment of decreasing tax revenues. Several officials said that continuation of projects initiated without concern for long-range fiscal impact could substantially affect their budgets. Officials are currently re-examining their grant policies in light of long-term fiscal consequences prior to making formal application. Because fiscal conservatism characterizes government at all levels in the state, the field team was not surprised to find a growing reluctance to get involved with Federal matching programs. Jurisdictions already facing severe financial crises expressed less concern about long-term fiscal impact.

Most officials interviewed were more interested in a special revenue-sharing approach to law enforcement and criminal justice funding than in the current block grant method. Reasons given included: the absence of a match requirement; the direct allocation of funds to the state and localities; decreased Federal, state and regional bureaucracy; direct local control of funds; broad flexibility in the use of funds. Several state officials thought that an approach such as that used under the Comprehensive Employment and Training Act (where local prime sponsors receive funds directly and the state only coordinates planning) would be adequate for law enforcement and criminal justice in Missouri. Officials in several localities indicated that they prefer a revenue-sharing approach because the law enforcement needs of their jurisdictions involve basic equipment, facilities and personnel for which Safe Streets funds are no longer available.

Many respondents criticized the Safe Streets program for its fiscal impact and administrative duplication, but no one wished the flow of funds to end completely. Almost 70 percent of the Missouri respondents to the ACIR local survey indicated that Safe Streets funds had had at least moderate success in reducing crime or slowing the growth of crime in their jurisdiction (see Appendix 3, p. 403). Of the 18 regional-survey respondents, 16 (88 percent) thought that Safe Streets funds had had great or moderate success in reducing crime or slowing the crime rate. Local respondents had fairly high expectations for the program. Sixty-eight percent of the local respondents expect at least moderate reduction in crime as a result of the Safe Streets program (see Appendix 3.1, p. 403). More than 25 percent of the regional respondents anticipate a slight decrease. Both regional and local respondents thought that crime would have been greater without Safe Streets funds (see Appendix 3.2, p. 403). One-third of the regional respondents thought that crime rates would have been far higher; one-half, that they would have been moderately greater. Fifty-eight percent of the city and county respondents thought that crime would have been substantially or moderately greater in the absence of the program; 21 percent, that the crime rate in their jurisdiction would have been at least slightly greater.

Most interviewees had held high hopes for improving the criminal justice system under the Safe Streets program. The attorney general's office cited a four-fold increase in its productivity as an example of the impact of Safe Streets funds. Grants supporting computerized information systems for the state court system and large police departments were mentioned as major system improvements in a state where criminal justice data had not been previously collected. Other officials cited similar instances of system improvement. Many said that before Safe Streets projects, no major improvements had been made in Missouri's criminal justice system since the 1930's. Elected officials agreed that crime was a major issue with voters throughout the state and that the rapid increase of the crime rate in rural and suburban areas had stirred voter concern. However, many elected officials believed that the "system" and governmental institutions could not significantly reduce crime, which they viewed as a symptom of societal breakdown. Because of the evident improvement in the state's criminal justice system and a growing concern about crime, almost all of the officials interviewed emphasized the need for continued Federal assistance for law enforcement and criminal justice efforts at the state and local levels.

SUMMARY OF MAJOR ISSUES

Analysis of the major problem issues in the operation of the Safe Streets program in Missouri–the roles of the state legislature, the regions and the

Federal government–can advance understanding of the dynamics of the block grant approach in general.

As mentioned frequently in this study, the Missouri General Assembly has never reacted with much favor to the Safe Streets program. Most of those interviewed attributed this attitude to a pervading dislike for Federal programs, the manner in which Safe Streets issues had been presented to the general assembly and the lack of involvement of the legislature in the decision-making process surrounding funding.

Although the relationship between the general assembly and the MCCJ and its staff has improved since the 1974 reorganization, a recent attempt by the general assembly to force the council to fund a particular program reflects the legislature's growing concern that the body which has the appropriating function should also make the decisions concerning the allocation of Safe Streets funds. During the most recent legislative session, the state senate's Committee on Appropriations threatened to withhold a vote on the requested match until the MCCJ either gave the committee the funds or itself approved the amount required to fund a specific project for continuation. The project was approved for continuation by the MCCJ by a 7 to 6 vote. Many interviewees thought the MCCJ would have voted unanimously to continue the project's funding if there had been no pressure from the general assembly. After the approval of this project, the senate voted to allocate the full match requested.

Many state-level officials indicated that Congress had made a grave error by requiring that state legislatures provide appropriations to match Part B and Part C funds, because this function only confused their role in the program: Were the legislatures to apply their appropriation authority in a rubber-stamp manner? Were they to exercise detailed oversight and make line item project approvals? Or, was Safe Streets solely the governor's program?

Some respondents suggested that the decision-making process concerning the distribution of funds should rest with the general assembly. Although they felt that legislative control was preferable, they admitted that partisan politics and constituency demands would run the program. Several state officials expressed a desire to eliminate the buy-in and hard-match provisions of the Safe Streets Act because of the difficulties encountered with the general assembly. They argued that Congress intended to encourage innovative approaches to crime control which, if successful, would be assumed into the state's regular operating budget. Therefore, the legislature did not need to become involved with the program until the time when proven projects were to be included in the state budget. The general assembly's stand forcing the funding of particular programs (or withholding the approval of the match) was cited as evidence that the match provisions of the act were causing legislative interference in a manner not intended by Congress.

The proper role of the Missouri General Assembly in the Safe Streets program has not yet been adequately defined. If relations between the general assembly and the MCCJ and its staff continue to improve, and if the general assembly is adequately informed about the hard-match and state buy-in requirements, the role definition process will be easier for both. The basic question remaining for Congress to decide is whether or not state legislatures should appropriate Federal funds in a block grant program.

The growth of strong regional councils has also had a dramatic effect on the program in the state. The MCCJ's movement toward a more active review and goal-setting role may affect regional power, but the gradual pace with which this shift is taking place suggests general movement in the direction of quality control and accountability. MCCJ relations with the regions have improved greatly since reorganization, according to several regional and local officials interviewed. The increasing stability of the MCCJ staff, its desire to increase accountability in the program throughout the state, and the positive personal relationships the executive director and the director of public safety have established with regional personnel have been welcomed by the regions. Reliance on the RCCs for decision-making and administration and the emphasis on criminal justice at the local level in Missouri will probably continue to be strong elements in the program.

As discussed above, the role of the Federal government in Missouri's Safe Streets activities has been perceived as a negative force. How much the tension in this relationship has cost the program in terms of effectiveness is unknown. Federal-state relations have created several problems at the state level, and, according to some state officials, controversies with LEAA have threatened to end the Safe Streets effort in Missouri. Although the frictions and frustrations that characterize this relationship have been lessening, the future impact of the LEAA on the Safe Streets program in Missouri may not be totally positive. As long as Missouri officials distrust Federal programs and fear Federal intrusiveness, and LEAA retains its oversight role, potential conflicts will exist.

The potential of the Safe Streets program in Missouri has yet to be determined. The role of the general assembly, the regions and the Federal government will continue to make an impact on the program. Further role definition and increased MCCJ credibility could greatly improve the operation of the Safe Streets program in Missouri. On the other hand, the pressures exerted on the program in the past by the general assembly, the regions and LEAA could re-emerge and possibly lead to its end.

FOOTNOTES

[1] Missouri, *Omnibus State Reorganization Act of 1974*, pp. 35-36.

[2] *The Missouri 1975 Comprehensive Plan for Action*, p. 282.

[3] Missouri, *Omnibus State Reorganization Act of 1974*, p. 236.

[4] *Ibid.*, p. 36.

[5] *FY 1976 Missouri Planning Grant Application*, Attachment C, sec. I.C.

[6] *Ibid.*, sec. II.A.

[7] U.S., Department of Justice, Law Enforcement Assistance Administration, Office of Inspector General, *Audit Report Number: GAR-S0-74-2*, August 13, 1974, pp. 9-10.

[8] U.S., Department of Justice, Federal Bureau of Investigation, *Crime in the United States 1973: Uniform Crime Reports* (Washington, D.C.: Government Printing Office, 1974), p. 70.

[9] *FY 1976 Missouri Planning Grant Application*, Exhibit F.

APPENDIX 1

Missouri Site Visits

Much of the information in this case study was developed during a field trip to Missouri from July 3, 1975 through July 16, 1975. The field team interviewed 50 persons at the Federal, state, regional and local levels. St. Louis, the largest urban area in Missouri and a component of LEAA's Impact Cities program, was used as an example of an urban region, county and city. Two other regions, three other counties and one other city were included in the field work. A complete list of the interviews conducted is presented below.

400 **Interviews Conducted in Missouri**

State

Office of the Governor
  Christopher S. Bond, Governor
  Perry Roberts, Aide
  Charles Valier, Chief Counsel
Missouri General Assembly
  Joseph Holt, State Legislator
Missouri Supreme Court
  Robert E. Seiler, Chief Justice
  Jim Parkinson, Court Administrator
Attorney General
  Alexander Netchvolodoff, Chief Assistant
Office of Administration
  Neil Neilsen, Commissioner
  Mark Edleman, Director, Office of Budget
Department of Public Safety
  Michael D. Garrett, Director
  Gene Voigts, Chairman, MCCJ
  Col. Sam Smith, Superintendant of the Highway Patrol
  Jay Sondhi, Executive Director, MCCJ
  Curt Musgrave, Planner
  Mike Hodge, Chief Law Enforcement Planner
  Patrick Rackers, Chief Corrections Planner
  Curtis Marsh, Chief Monitor
  Gene Vaughn, Chief Auditor
  Ron Yates, Grants Administrator
Department of Social Services
  Edward Haynes, Director, Division of Corrections

Regional and Local

Region V Crime Council
  Floyd Richards, Executive Director
  Dodey Horstman, Assistant Director
  Martin Braeske, Assistant Director
  Bob Taylor, Program Analyst
  Don Joyner, Fiscal Officer
  Judy Busby, Accountant
  Obbie A. Charles, Program Analyst
City of St. Louis
  A.J. Wilson, Executive Assistant to the Mayor
  Col. Sutton, Police Commissioner, Board of Police Commissioners
  Otto Heinecke, Executive Director, St. Louis Commission on Crime & Law Enforcement
  Gary Gertner, Judge, 22nd Judicial Circuit (St. Louis) and Region V Chairman
St. Louis County
  Ned Tadeucci, Executive Assistant to the County Supervisor
Jefferson County
  Gilbert Long, Juvenile Officer (Vice Chairman of Region V Council)
Other
  Del McClennan, Co-Chairperson, Women's Crusade Against Crime
Mid-Missouri Regional Crime Council (Region III)
  Perry Winget, Executive Director
City of Columbia
  Terry Novak, City Manager
  Bob Black, Assistant City Manager
  Dave Walsh, Chief of Police
Cole County
  Wyman Baysinger, Sheriff
  Donald Cline, Director, Juvenile Attention Center
Boone County
  Frank Conley, Judge, 13th Judicial Circuit and Chairman of Mid-Missouri Regional Crime Council
Show-Me Regional Planning Commission (Region XIII)
  Frank Schwarzer, Executive Director
Pettis County
  Emmett Fairfax, Sheriff

Other

Tony Heisberger, Executive Director, Missouri Association of Counties

Jay Bell, Executive Director, Missouri Municipal League

LEAA Federal Regional Office - Region VII
- Marvin Ruud, Regional Administrator
- Al Vanderstaay, Director of Operations
- A. Marc Dreyer, Director of Technical Assistance
- Harold Smith, Missouri State Representative
- Ron Brown, Chief Fiscal Officer

APPENDIX 2

Responses to Local Questionnaires

Missouri
1975

	Counties			Cities		
Population Group	**Number Surveyed**	**Responding**		**No. Surveyed**	**Responding**	
		No.	%		No.	%
Over 500,000	2*	2	100	2	0	0
250,000-500,000	0	0	-	0	0	0
100,000-249,999	3	1	33	2	2	100
50,000- 99,999	6	2	33	3	1	33
25,000- 49,999	20	6	30	10	4	40
10,000- 24,999	53	13	24.5	34	17	50
TOTAL	84	24	28.5	51	24	47

*Does not include the city of St. Louis, which is also a county but is considered a city for this study.

APPENDIX 3

Views of Missouri County and City Officials Concerning the Degree of Success Safe Streets Funds Have Had in Reducing Crime or Slowing the Growth of the Crime Rate in Their Jurisdiction*

October 1975

	Great Success	Substantial Success	Moderate Success	Little Success	No Success	No Response
Cities	1	2	7	2	6	6
Counties	0	4	6	2	0	12
TOTAL	1	6	13	4	6	18
Percent of respondents	3	20	43	13	20	

APPENDIX 3.1

Views of Missouri County and City Officials About the Kind of Reduction in Crime That Should Reasonably Be Expected as a Result of the Safe Streets Program, Considering the Nature of Crime and the Amount of Safe Streets Funds Involved*

October 1975

	Great Reduction	Substantial Reduction	Moderate Reduction	Slight Reduction	No Reduction	No Response
Cities	0	2	9	2	4	7
Counties	0	1	7	3	0	13
TOTAL	0	3	16	5	4	20
Percent of respondents		11	57	18	14	

APPENDIX 3.2

Views of Missouri County and City Officials About the Extent the Crime Rate in Their Jurisdiction Would Have Been Greater Today If Safe Streets Act Funds Had Not Been Available Over the Past Six Years*

October 1975

	Substantially Greater	Moderately Greater	Slightly Greater	No Greater	No Response
Cities	2	8	2	6	6
Counties	4	3	4	0	13
TOTAL	6	11	6	6	19
Percent of respondents	21	37	21	21	

**Source:* ACIR 1975 Safe Streets survey.

New Mexico

New Mexico is geographically large, sparsely populated and economically poor; it is the only Southwestern state included in the ACIR Safe Streets field work.

New Mexico is 37th among the states in population, with 1,076,000 inhabitants. Its 1973 reported index crime rate was 4,707.9—12th highest in the country. The state has 32 county governments and 89 cities, towns and villages. Many of these localities are quite small: twenty of the counties have fewer than 25,000 residents, and 60 of the municipalities have 2,500 or fewer inhabitants. The state is dominated by the Albuquerque-Bernalillo County Standard Metropolitan Statistical area, which encompasses about 30 percent of New Mexico's total population.

New Mexico illustrates the operation of the block grant instrument in a small rural state where the criminal justice system is largely state-financed and administered.

THE CRIMINAL JUSTICE SYSTEM

Police protection in New Mexico is predominately a local responsibility, with cities and counties accounting for approximately 68 percent of all expenditures for this purpose. Of the local law enforcement agencies, 32 are county units and 68 are municipal units. The six Class I cities in New Mexico, those with populations over 25,000, average 57 full-time sworn personnel, excluding Albuquerque which has 408 officers.

County sheriffs enforce the law and maintain detention facilities. Sheriffs are elected for two years and may serve only two terms. The largest sheriff's department is in Bernalillo County, where there are 114 personnel; the smallest is in Union County, where there are two departmental staff.

The New Mexico State Police received full policing powers in 1935. From a small force of 12, the department has expanded to include 310 uniformed officers and 180 civilian employees. The five-member Board of Supervisors of the State Police is appointed by the governor. State police responsibilities include criminal law enforcement, training, scientific crime detection, education of citizens in public safety and maintenance of a statewide communications systems.

Unlike law enforcement, the court system is largely state-financed and administered, with the state contributing about 86 percent of all judicial expenditures in FY 1973. The state court system consists of the Supreme Court and the Court of Appeals (courts of appellate jurisdiction); the district courts (courts of general jurisdiction); and magistrate courts, municipal courts, county probate courts and one small claims court in Bernalillo County (courts of limited and special jurisdiction). Municipal courts are under local control; the New Mexico Supreme Court has supervisory control over all other inferior courts and appoints the director of the administrative office of the courts.

Another expense borne principally by the state is prosecution. In FY 1973 the state spent $1,855,000, or 68 percent of total state and local outlays for this purpose. The chief law enforcement officer and prosecutor in New Mexico is the attorney general. Serving also as the head of the Department of Justice, the attorney general represents the state in all criminal appeals to the Supreme Court and conducts investigations in cooperation with the state police when requested by local authorities to assist in the prosecution of a case.

Each of the 13 judicial districts has an elected district attorney. During his or her four-year term, the district attorney is responsible for representing the state, as well as the counties in his district. City attorneys are responsible for prosecuting criminal violations of municipal ordinances.

Defense of indigent persons is primarily a state activity. In 1973, the legislature established a new Public Defender Department in the state government. A three-member Public Defender Board, appointed by the governor, names a chief public defender to head the department. The chief, in turn, appoints a district defender for each judicial district who represents indigent defendants in any court within that district. These district offices are being established on a gradual basis, however, and until they are fully operational throughout the state, defense services are provided where necessary through court-appointed attorneys who are reimbursed by the Public Defender Department. The New Mexico Public Defender does not represent defendants in the Albuquerque Municipal Court.

Corrections is predominately a state function. In FY 1973, the state accounted for approximately 78 percent of the total state and local outlays for correctional purposes. The State Department of Corrections is responsible for both adult and juvenile facilities and services, and administers adult probation and parole and juvenile parole. Almost all counties, and 14 cities, maintain jails that are primarily holding facilities. In all counties except Bernalillo County, the shriff is in charge of the jail. Albuquerque and Bernalillo County have a joint Department of Corrections/Detention. Two counties—Bernalillo and Santa Fe—operate juvenile detention houses. Juvenile probation is administered by the district court in each county.

THE STATE PLANNING AGENCY

The first New Mexico state planning agency
406 (SPA) was created by proclamation of Governor David F. Cargo on Nov. 18, 1968. The Governor's Policy Board for Law Enforcement, as it was initially named, consisted of 19 members appointed by the governor. The primary function of this board was to receive applications for crime prevention and control activities and to recommend priorities for the use of Federal funds. The staff arm of the board was located in the State Planning Office, a general purpose planning agency.

In 1971, a new governor, Bruce King, issued an executive order establishing the Governor's Council on Criminal Justice Planning as the successor to the Policy Board for Law Enforcement. This executive order made some changes in the council's membership, but its primary role remained the same.

In July 1973, Governor King issued another executive order modifying the composition of the Governor's Council on Criminal Justice Planning once again and increasing its total membership to 22. In addition, the function of the council was expanded to include advising the governor on criminal justice matters. The executive director of the council was to report to the Office of Manpower and Grants Administration in the office of the governor, rather than to the State Planning Office. Seven regional criminal justice planning commissions were created.

In February 1975, the council was again reorganized to reflect the priorities of the new Governor, Jerry Apodaca. Under Executive Order 75-4, the council remained in the Office of the Governor, but was placed under the governor's secretary of justice. This change reflected the movement of the Apodaca administration to a modified-cabinet form of government. Under this system, the governor relies upon a cabinet made up of eight department heads, who are also functional area secretaries and five advisors. Justice is one of the major functional areas included in the cabinet. All heads of criminal justice and public safety state agencies sit on the Justice Cabinet, which is headed by the secretary of justice.

The membership of the council also changed with the new executive order and now consists of the governor, who is represented by the secretary of justice, five ex officio state agency officials, five representatives of local government and criminal justice agencies and five citizen[1] representatives.

The major differences between the composition of the new and old councils are the reduction in size of the council from 22 to 16 members, the elimination of the regional commission chairmen and the Metropolitan Criminal Justice Coordinating Council chairman as council members, the reduction in the number of state agency representatives, the elimination of legislative representation, and the addition of five citizen members.

In addition to the organizational and membership changes, the new executive order also specifically delineated the duties and responsibilities of the council and its staff, authorized the creation of a juvenile justice advisory group and, as discussed later, altered the membership of the regional commissions. According to council officials, the duties and responsibilities of the council and its staff were not actually altered but rather were more clearly defined.

Prior to the most recent council reorganization, the council utilized study teams as standing committees to review applications and make recommendations to the full council. Established in mid-1973, the study teams consisted of members of the council as well as non-members, and were organized along six functional delineations—detection, deterrence and apprehension; rehabilitation; information systems; adjudication and diversion; legislation; and prevention. The Legislative Finance Committee recommended abolition of the study committee in its 1975 report to the state legislature.

The reorganization by the Apodaca administration resulted in the abolition of the six study teams. Instead, the council has only one standing committee, the Executive Committee, which was provided for in Executive Order 75-4. Under the council bylaws adopted on May 19, 1975, the Executive Committee consists of the chairman of the council, his representative and such other members as the chairman may appoint. Currently, the Executive Committee consists of five members, including the governor's representative, the attorney general, the mayor of Albuquerque and two citizen members of the council. Because the council meets only quarterly, the Executive Committee acts on day-to-day matters that cannot wait until the next council meeting. In order to study specific issues that may face the council from time to time, the chairman may set up ad hoc committees. By mid-1975, three such committees had been established—a policy committee to recommend general policy guidelines to be adopted by the council, a committee to study the regional commission system and a committee to review the several ex-offender programs supported by the council. The policy committee was disbanded after the council adopted a policy manual and council bylaws in May 1975.

The initial two years of the Safe Streets program were marked by uncertainty. Three different staff directors, and two acting directors were appointed. In November 1970, at the end of Governor Cargo's term, a fourth executive director was named. This director headed the program until May 1975 and served under three governors. Even though a staff had been authorized well before that time, the new executive director began his tenure prior to the assemblage of a full staff complement. In his view, at the outset he was responsible for actually performing most SPA functions himself, including writing the annual comprehensive plan.

During the five-year tenure of the fourth executive director, the council staff grew and, with the council, began making progress in reaching both criminal justice and internal management goals. For example, the council and its staff became a national leader in the field of Indian justice, participated in the establishment and operations of the Governor's Organized Crime Commission and laid the groundwork for the creation of a full-time parole board. Several organizational improvements, including the establishment of an auditing capability, were also made during this period.

Internal improvements were hampered by the limited size of New Mexico's planning grant which, according to both past and present council officials, has resulted in insufficient staff. Table 1 shows the total number of authorized staff positions since 1970. Growth in staff size was very modest during the early years of the program. More recently, a number of discretionary grants from the Law Enforcement Assistance Administration (LEAA) to the council have provided staff positions for Indian justice planning, the Statistical Analysis Center and standards and goals planning. All of the positions funded by discretionary grants were for new activities outside the normal operations of the SPA. Several council officials indicated, however, that the growth in staff size was inadequate to keep pace with the continually increasing LEAA requirements and requests for information.

Table 1

Authorized Council Staff Positions for Governor's Council on Criminal Justice Planning

(All Financial Sources)

Fiscal Year	Professional	Clerical	Total
1970	8	4	12
1971	8	5	13
1972	12	2	14
1973	14	5	19
1974	19	6	25
1975	26	8	34

Source: Governor's Council on Criminal Justice Planning, December 1975.

In May 1975, the council's fifth executive director was appointed; the previous director resigned to take an out-of-state position. By July 1975, the new director had reorganized the staff in order to facilitate expansion of the council's role and to allow the executive director more time for policy matters. Responsibility for day-to-day operations was given to the deputy for administration and the deputy for planning/programs. The only major function not directed by either deputy is auditing, which is supervised by the executive director. The deputy for planning/programs is responsible for the development of the annual plan, all monitoring and evaluation activities, New Mexico's standards and goals effort and the state's Statistical Analysis Center. All clerical and personnel matters, fiscal affairs and grants management are the responsibilities of the deputy for administration.

With the exception of the executive director, and the two newly created deputy positions, the council staff has always been under the state's civil service system. Turnover has not been great within the organization, although several changes occurred with the election of Governor Apodaca and the appointment of a new director. Both deputy positions were filled by promoting employees who had been with the council for more than two years.

Under the present administration, the influence of the governor on the Safe Streets program is considerable. The governor appoints all council and regional commission members, as well as the council's executive director. He also designates the council chairman. Currently, the chairman is the governor's top legislative and legal aide and secretary of the newly formed Justice Cabinet. The chairman acts as the governor's representative on the council and, by virtue of his position within the administration, is able to influence council decisions in accordance with the governor's policy choices.

According to the chairman, upgrading the status of the council and increasing its criminal justice planning capabilities are major goals of the current governor. The administration appears to believe that in the past the council has served only as a mechanism for distributing Safe Streets dollars with little regard for other criminal justice resources and with insufficient participation by regions and localities. The governor, through his staff aide, is redirecting the program by broadening the role of the council and encouraging the delegation of greater authority to the regions. The council staff now also serves as staff to the Justice Cabinet which is headed by the council chairman, and becomes involved in reviewing criminal justice legislative proposals. Eventually, the chairman envisions the council as establishing statewide criminal justice priorities and becoming involved in criminal justice legislative activities. Part of the governor's program for enhancing the council's stature and role is to seek increased legislative support. The administration plans to request additional state funds for council operations in 1976. By 1977 the administration hopes to obtain legislation giving statutory recognition to the council as a permanent entity of state government.

At present, the main point of contact between the council and the state legislature is the Legislative Finance Committee (LFC), a powerful joint body responsible for reviewing state appropriation requests. Until recently, the legislature had little knowledge of the amount of Federal funds received by state agencies or the purposes for which these funds were used. Because it was concerned about possible distortion of legislative intent and implied commitments to continue federally supported activities with state monies, the legislature authorized a major study by the Legislative Finance Committee. This effort resulted in new budget forms requiring all agencies to provide details on the amount of Federal funds received and the activities supported by these funds.

The Legislative Finance Committee is an influential force in the council's financial development. Its members are more alert to the council's activities than are most of New Mexico's legislators, many of whom see the program only as a source of free money. The governor is actively trying to change this image and convince the legislature to financially support the council's staff and projects. A Legislative Finance Committee official interviewed admired the governor's future plans for the council, but doubted that the legislature would ever pick up the agency's total costs, even though it has always provided a greater match for the council than the legally required 10 percent and has usually approved funds to continue projects started with Safe Streets funds. Probation and parole in the Department of Corrections, for example, has had three major projects assumed by the legislature.

At one time, the council played a strong role in substantive criminal justice legislation, including the proposals establishing a public defender system and the Governor's Organized Crime Commission. This involvement largely reflected the interests of the former executive director. At present, the council does not propose or draft any legislation affecting the state criminal justice system. Governor Apodaca has instructed his agency heads to be responsive to legislative requests, but not to actively lobby for agency interest during legislative sessions. This mandate has considerably reduced the present executive director's role in the legislative process. The council staff does review legislative proposals in its capacity as staff to the governor's Justice Cabinet and advises the legislature as requested.

The attorney general is an ex officio member of the council. Although he is the chief law enforcement official in the state, the attorney general has no more power than any other member of the council. The present attorney general has a good relationship with the council staff and with the governor's office. He hopes to use his influence to increase the direct involvement of council members, as opposed to staff, in setting policy and in making planning and funding decisions.

The heads of the other major state criminal justice agencies are also ex officio members of the council. In addition, these agencies, with their own internal planning staffs, are heavily involved in the preparation of the annual plan. In general, they view their relationship with the council as positive, as their priorities are usually accepted without change. Nevertheless, for the most part they see the Safe Streets Program as an outside source of financial aid, and not as a true comprehensive planning effort. Although the council staff believes that these agencies are increasingly looking to them for technical assistance, the agency officials interviewed indicated that the advice of council staff in substantive criminal justice areas was seldom sought, because the agency officials are well aware of their own needs and problems.

Despite the plans of the present governor to expand the council's role, the council is not now involved in planning for or evaluating state agency criminal justice activities other than those supported by Safe Streets dollars. On an informal basis, however, the staff reviews all criminal justice agency budgets and coordinates council activities with the Department of Finance and Administration.

REGIONAL PLANNING UNITS

Regional criminal justice planning in New Mexico has undergone a variety of structural and procedural changes since the Safe Streets program was launched in 1968. Initially, the governor's council obtained local and regional participation in the program through the seven state planning development districts. By 1971, however, it was apparent to the council that there were insufficient planning funds to adequately staff all seven regions and, as a result, three single-purpose criminal justice regions were established. In 1972, a separate Metropolitan Criminal Justice Coordinating Council (MCJCC) for the City of Albuquerque and Bernalillo County was created by executive order of Governor King. Previously Albuquerque had been included in one of the three regions but was surrounded by three rural counties whose problems and needs were significantly different from those of the Albuquerque metropolitan area. The MCJCC is responsible for the coordination of criminal justice programs within the metropolitan area, the development of local policies for the improvement of the criminal justice system, the preparation of local criminal justice plans and the implementation of specific local projects to reduce crime.

By a 1973 executive order, Governor King established seven regional criminal justice planning commissions that were coterminous with the state planning development districts. Each regional commission was to have at least 15, but not more than 21, members appointed by the governor. Governor Apodaca's 1975 executive order, the current legal basis of authority for the regional commissions, made only one major change—reducing the commission membership to at least nine, but not more than 15, persons.

These seven regional commissions, together with the Albuquerque MCJCC, are primarily responsible for gathering and submitting information to be used in the development of the state plan and for reviewing and commenting on all applications for action grants. In addition, regional commission staff members play a key role, particularly in the more rural jurisdictions, in assisting localities in preparing applications and implementing projects.

1975 Reassessment

As mentioned earlier, as part of Governor Apodaca's program to increase the credibility and effectiveness of both the council and the regional commissions, a seven-member committee was appointed in March 1975 by the chairman of the council ". . . to study the efficiency of the existing regional planning system in New Mexico and to formulate recommendations to improve the system."[2] Composed of three council members, three regional commission chairmen and the vice-chairman of the Albuquerque MCJCC, this committee identified the following problems:

1. The Council has not provided sufficiently firm policy guidance to either the regional commissions and staff or the Council staff.
2. The comprehensive planning and plan administration roles, duties and responsibilities of the regional commissions and their staff and the Council staff are not adequately delineated.
3. The regional commissions have not been provided sufficient opportunity to input into the comprehensive planning, priority-setting and grant award processes.
4. The fiscal and administrative alignments of the regional commissions have evolved with little preplanning or direction. The result is a variety of arrangements with the regions having no legal status as units of government and many problems in terms of employee benefits and job security.

5. The Law Enforcement Assistance Administration has raised the issue that the New Mexico regional commissions are not representative of local units of government because the appointment process used in the past has not sufficiently documented local consent in determining how and who should be represented on regional planning units.[3]

Out of this committee's deliberations came a series of recommendations, subsequently adopted by the council, that fundamentally changed the relationship of the regions to the state. Some of these, such as the establishment of a provisional allocation of Part C funds to each region on the basis of a formula, are discussed later in this case study. Others, affecting the configuration, membership and staff of the regional commissions, are described below.

410

Regional Boundaries

The committee discussed at length whether or not modifications should be made in the current regional structure. The overriding consideration in favor of change was the inadequacy of Part B funds at the regional level, and the possibility that consolidation would be more economical. Factors against this action were pressures for maintaining the status quo and the fact that the existing boundaries were coterminous with other state planning regions. The committee recommended, and the council approved, the consolidation of Regions V and VII. This realignment is now being effected.

Commission Membership

As noted earlier, all regional commission members are appointed by the governor. Composition of the commissions, however, must meet the criteria initially set forth in Governor King's 1973 executive order: "Such membership will be representative of the units of general local government, criminal justice officials, governmental agencies in the region that maintain programs to reduce or control crime, and members of general community interest."[4] In addition, a majority of regional commission members must be local elected officials, as required by the 1973 amendments to the Safe Streets Act; regional commissions must also have "equitable Indian representation."[5] In general, interviewees believed that the requirement that there be a majority of local elected officials on the regional commissions had not had any effect because these officials tend not to attend or actively participate. One of the reasons for this low participation, in the judgment of the interviewees, is the multitude of Federal grant-in-aid programs requiring elected officials to serve on review boards, thus placing great demands on the time of city and county officials.

Although the former executive director of the council stated that Governor King solicited, and generally honored, local recommendations for membership on the regional commissions, some officials interviewed claimed that the former governor had paid little or no attention to the recommendations he received. New Mexico's method of appointing regional commissioners has been challenged by the LEAA regional office, which attached a special condition to the FY 1976 planning grant requiring that an organization, such as the League of Cities or the Association of Counties, give its consent to the governor's appointees to the regional commissions. This special condition reflected LEAA's concern that ". . . the method and process employed in appointing regional planning unit members provide adequately for local input and representative character. . . ."[6]

As a result of LEAA's proddings, the Apodaca administration has named local elected officials to the regional commissions on the basis of nominations received from the New Mexico League of Cities and from the Association of Counties. Nominations for other appointees have been obtained by consultations with these two local government interest groups, as well as with regional coordinators, professional organizations and council staff. The mechanics involved in the nomination and appointment process have delayed the formation of new regional commissions, although most members had been named by the governor by October 1975.

Staff

In mid-1975, each of the seven regions had only the equivalent of one full-time professional staff member, a coordinator. The Metropolitan Criminal Justice Coordinating Council, on the other hand, had a director and four functional area specialists.

The committee assigned to study regional issues found that benefits for regional coordinators were inadequate or non-existent—salaries were disparate and job security was slight. In addition, some coordinators had experienced difficulty locating and retaining units of government willing to serve as fiscal agents for the region, because the sponsoring government becomes fiscally accountable even though it may have little control over the actual expenditure of Federal funds. In an effort to solve these problems and to upgrade the status and caliber of regional staff, the committee, with council approval, recommended that coordinators be made state employees entitled to all the benefits provided in the state merit system. The council expressly delegated to the regional commissions the right to hire, supervise, evaluate and fire regional staff in accordance with State Personnel Board rules.

Most state and regional officials interviewed agreed that the continuity and stability provided by state employment should help to upgrade the status of the regional coordinators. However, some opposition exists. One coordinator stated: ". . . my position can be summarized as being against the proposal because it will tend to diminish local/regional control over the planning process by removing from them basic control and responsibility for the Part B funds. If, as the Governor [Apodaca] so many times has said, local control is to be emphasized and encouraged, then this action is certainly a move in the wrong direction."7 An Albuquerque city official interviewed also complained that coordinators would lose their "local flavor."

SAFE STREETS PLANNING

As in most of the other case study states, the Safe Streets Act provided the catalyst for the first attempt at statewide criminal justice planning in New Mexico. Since 1969, there has been a gradual increase in the state's level of planning sophistication. In the early years of the program, New Mexico, like the other states studied, emphasized "getting the money out," rather than developing plans based on objective analyses and assessments of need. Plans had to be prepared in short periods of time, planning funds were severely limited, data on the criminal justice system was virtually non-existent and staffs were not only few in number but also inexperienced in criminal justice planning.

At first, most planning activities were carried out by the state, with the former executive director of the council and the chief planner playing major roles in actual plan preparation. Gradually, however, regional planning commissions began to be more involved, as they became organized and staffed. Regional coordinators cooperated with state staff in preparing the FY 1972 and 1973 state plans. In FY 1974, the regions were asked to submit criminal justice plans for their areas. Although these plans offered an opportunity for formal regional input in to the state plan, council staff interviewed said that regional participation was much more informal than formal and was primarily a result of regional influence on the deliberations of the council study teams. At that time the council study teams were responsible for setting priorities and dollar allocations in the various functional areas.

On the whole, the council viewed the quality of the regional plans as less than satisfactory, because they tended to be oriented toward law enforcement only and to lack a statistical data base. The present deputy director for planning, however, pointed out that when these regional plans were prepared, most regional coordinators had been employed for less than a year, because the state had only recently expanded the number of regions from three to seven. Further, she thought that the council had provided little direction or assistance to the regions, in part 411 because of limitations on staff time.

FY 1974 was the only year that the regions were asked to prepare plans. The Albuquerque MCJCC still writes its own annual plan, however, because it believes that the problems of the Albuquerque–Bernalillo area are severe enough to warrant separate treatment in the state plan and because the MCJCC believes its local planners understand the needs of the area more exactly than state-level planners.

The FY 1975 state plan was essentially an update of the FY 1974 plan, due to the early submission date encouraged by LEAA. In FY 1976, however, the council attempted to give greater structure to the plan development effort and to emphasize the role of the council members in setting overall policy. The process was based on close working relationships among council staff, regional coordinators and other state and local agency planners. The objective was to integrate local, regional and state perspectives by having the various staffs work as a team with different data gathering and analysis assignments. Meetings of these staffs were held throughout the planning period in order to facilitate the development of an integrated set of recommendations to the council regarding needs, priorities and goals. Greater stress was placed on the collection and analysis of criminal justice system and crime data. The council staff prepared an analysis of 1974 Part I crimes, as reported to the state police through the uniform crime reporting program.

Table 2

Planned Distribution of Part C Funds by Plan Categories
FY 1973-1975

	Categorical Allocations of Action Funds	Percent of 1975 Part C Total Funds	Percent of 1974 Part C Total Funds	Part C Percent in 1973 Plan
Legislation	$ 63,770	2.6	3.2	2.3
Planning, research and information systems	176,700	7.2	7.5	11.2
Crime and delinquency prevention	425,604	17.4	15.2	10.2
Detection, deterrence and apprehension	666,850	27.2	28.1	48.4
Adjudication and diversion	440.280	18.0	18.0	6.6
Institutional and non-institutional rehabilitation	672.796	27.5	28.0	21.3
TOTAL	$2,446,000	99.9	100.0	100.0

Source: New Mexico FY 1975 state plan.

Based on this analysis, the council designated 10 localities as high-crime areas requiring intensive problem analysis and multi-year program development by the relevant regional criminal justice planning commissions. Criminal justice system data were collected from a variety of sources. Regional coordinators gathered police and jail statistics from a sampling of the state's small communities, as well as from the 10 high-crime localities. Council staff collected offender-based information from four district courts.

In addition to the heightened emphasis on data collection and analysis, the FY 1976 plan was also characterized by an attempt to take a closer look at the results of previously funded projects. Regional coördinators developed assessments of local grants; council staff developed assessments of state activities. This information was then considered by the council in weighing 1976 proposed programs and dollar allocations.

State criminal justice agencies worked closely with the council staff in preparing portions of the plan. Most of the state agencies have their own planning personnel—in some cases, obtained through Safe Streets aid—and many literally planned with the council staff, aiding in writing the multiyear forecasts and the annual action plan. For example, the Committee on Children and Youth had primary responsibility for that portion of the plan dealing with juvenile justice and delinquency prevention.

Council members closely scrutinized staff recommendations and made final decisions regarding overall goals, priorities and allocations. When it had been approved by the council, the plan was submitted to LEAA.

The FY 1976 plan is structured around six basic categories: legislation; planning, research, evaluation and information systems; crime and juvenile delinquency prevention; detection, deterrence and apprehension; adjudication and diversion; and institutional and non-institutional rehabilitation. Within each broad program area, there are one or more programs. For example, "special law enforcement units" is a program within the category "detection, deterrence and apprehension." There are a total of 29 programs. The annual action plan describes the objectives of each program, the problems it addresses and its relationship to overall goals and priorities. The plan also describes how the program will be implemented, what technical assistance will be provided, what special requirements will be enforced, the number and range of grants anticipated, who is eligible to apply and what funds are available for the program. In addition, the annual action section outlines the evaluation requirements for each program. Funds are not earmarked for specific projects but rather are allocated by program. Although the council does not have formal policies that restrict certain activities, such as basic equipment, from being funded, the plan does place some restrictions by allocating dollars according to program and by defining who is eligible to apply for particular activities.

The New Mexico planning effort is comprehensive in that it addresses all elements of the criminal justice system. Although almost all of the funds went to law enforcement in the early years of the Safe Streets program, the FY 1974 plan modified the funding distribution "to reflect further the Council's determination to stimulate and direct innovation and progress in improving the operational effectiveness of all components of this system."[8] Table 2 indicates the planned distribution of funds among plan categories for FY 1973-1975.

Although Safe Streets funds are allocated in a comprehensive manner, the planning process is far from comprehensive. Limited data, staff time and council authority have impeded an overall assessment of the needs and problems of the criminal justice system. Like other SPAs studied, the council has planned for the distribution of Safe Streets funds only and has had very limited impact on the allocation of other state and local criminal justice resources. The Apodaca administration, however, is moving the agency in the direction of comprehensive planning. It believes the council is at a crossroads where it will either continue to function as a dispenser of Federal grants or it will begin to assume a broader role in terms of overall criminal justice policy development and resource allocation. The Apodaca administration believes that if the purpose of the program is primarily to distribute monies, then state staff should be reduced and the funds given to local governments, as in revenue sharing. If, on the other hand, there is a need for a criminal justice planning capacity at the state level, then steps must be taken to increase the council's credibility, status and authority. It is the latter course of action that the governor and his aides are pursuing.

Table 3

Part B Planning Funds Awarded to New Mexico FY 1969-1975

Fiscal Year	Part B Award
1969	$167,500
1970	176,000
1971	201,000
1972	245,000
1973	392,000
1974	392,000
1975	424,000

Source: LEAA Grants Management Information System (GMIS) data.

Planning Funds

A pervasive issue in the New Mexico Safe Streets program is the lack of adequate planning funds to effectively carry out the mandates of the act. Despite the increases in Part B allocations since 1969 (see Table 3) and the overmatch provided by the state legislature through 1975, these resources have been insufficient to fulfill the various responsibilities of the council and its regions, particularly in the areas of planning, monitoring, evaluating and providing technical assistance. Results of ACIR's survey of regional planning units show that four of the seven New Mexico regions responding believe that Part B funds are "inadequate" at the state level; two rated them as "adequate;" and one as "excessive."* Five of the seven thought regional Part B funds were "inadequate;" two said they were "adequate;" and none thought they were "excessive." Not surprisingly, all but one of the respondents thought that the state should make available to the regions a greater portion of the planning funds than the 40 percent that is currently passed through.

Beginning with FY 1974 Part B monies, the council allocated planning funds among the seven regions on the basis of seven factors:

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*In June 1975, ACIR mailed a questionnaire to all criminal justice planning regions in the country. By October responses had been received from seven of the eight New Mexico regions (including the MCJCC, a response rate of 88 percent.

1. Population;
2. Number of localities with at least 24 Part I crimes per 1,000 population;
3. Square miles;
4. Centers with populations greater than 2,500;
5. Number of counties;
6. Population per square mile;
7. Council discretionary weight factor.

A 1975 staff analysis of the formula, however, questioned both the reliability and equity of the formula. As result, the regional commission study committee undertook a review of the method by which Part B funds were allocated. At about the same time, the LEAA regional office notified the council that it could no longer use Part C funds to support the activities of the Albuquerque MCJCC that related to the Safe Streets comprehensive planning process. Previously, the council had funded the MCJCC entirely from Part C monies, based on the 1971 amendment to the act authorizing action funds for criminal justice coordinating councils in localities of 250,000 or more persons. By using Part C funds for Albuquerque, the state was able to retain additional Part B monies for use by the seven regions. The LEAA Office of General Counsel, however, ruled that the act distinguished between the coordinating functions of a CJCC and those planning activities stemming from the CJCC's participation in the formulation of a required comprehensive state plan. The legal opinion cited the House Committee on the Judiciary Report on the 1971 amendments, which stated: "The establishment of coordinating councils of the type envisioned here will effectuate recommendations made by the National Commission on the Causes and Prevention of Violence. Such councils should serve as a catalyst to overcome the pervasive fragmentation of police, court, and correctional agencies."[9]

Based on this interpretation of congressional intent with regard to the CJCCs, as well as on the provision of the act requiring states to make Part B funds available to local governments to allow them to participate in Safe Streets planning, and on an earlier legal opinion concluding that Part C funds may not be used to supplement Part B activities, the General Counsel stated:

> The line of demarcation between appropriate use of funds for planning under Part B and Criminal Justice Coordinating Council's activities under Part C is not well established when the Criminal Justice Coordinating Council is performing both functions. However, it is clear that under Section 203 (i), the State Planning Agency must assure that major cities and counties within the State receive Part B planning funds to develop comprehensive plans at the local level. It is also clear that the legislation anticipates that those matters which relate to local priority setting, support of the regional supervisory board, grant development, grant management, grant review, and grant-related input into the State Planning Agency be funded from Part B sources. Consequently, we have concluded that a Criminal Justice Coordinating Council performing both types of functions must receive in an equitable pro rata manner both Part C and Part B funds. The proration should take place on the basis of the State's best estimate of the Criminal Justice Coordinating Councils' functions which are performed along the criteria specified in the National Commission's Report as compared to those planning functions performed by the Criminal Justice Coordinating Council which relate to the administrative and grant application requirements of the State Comprehensive Plan.[10]

Thus, only those activities of the MCJCC that can be defined as coordination and evaluation or monitoring, about 60 percent of the total effort, can be funded from Part C monies. The overall effect of the ruling is to reduce even further the amount of Part B funds available to the regions.

In order to remedy the deficiencies of the previous allocation formula as well as to address the Albuquerque situation, the regional commission study committee recommended, and the council adopted, a distribution formula that provided a fixed amount ($21,000) to each of the six regions and to the MCJCC, with the remainder of the available Part B funds allocated on the basis of population and crime. Further, the committee recommended that the council negotiate with the LEAA regional office to phase-in the change from Part C to Part B funding for Albuquerque over a three-year period in order to minimize its impact on the regional planning effort. The LEAA regional office agreed to a

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[*] For a further discussion of the characteristics of a criminal justice coordinating council, see Chapter IV.

one-year transition period and said that, as of October 1976, it expected the MCJCC to receive a full share of Part B funds, supplemented as required by Part C monies. FY 1976 Part B allocations to the regions, based on this agreement and on the new distribution formula, are shown in Table 4. The "adjusted total" column shows the distribution of Part B funds based on the agreement to limit Albuquerque's Part B funding in FY 1976 to one-third of the amount to which it would otherwise be entitled by formula, with the other two-thirds to come from Part C monies.

LEAA Regional Office

The LEAA regional office (Region VI) is responsible for reviewing and approving New Mexico's annual plan. Usually the regional office places special conditions on its approval as a means of insuring guidelines compliance without withholding the state's block grant allocation. A regional office staffer interviewed said that in the past few years the number of special conditions has been reduced through more extensive negotiations between LEAA and the state during the development and review of the plan. The Council staff, however, believed that the special conditions represented a "laundry list" of requirements, few of which were more than bureaucratic stipulations. Objections were raised by the council to what it viewed as unwarranted interference by the LEAA regional office in the state's method of appointing regional commission members. Although it did not disagree with the general intent behind the requirement to obtain local input in the appointment process, the council took issue with the cumbersome procedures that had to be implemented to satisfy the regional office. The council believed that New Mexico was being unfairly discriminated against.

The former executive director characterized New Mexico's relationship with the LEAA regional office as excellent, but some complaints were voiced by incumbent state and regional staff. A few interviewees commented that it was difficult for the state to obtain clear and consistent guidance from the regional office, a problem exacerbated by a high turnover of the LEAA state representatives assigned to New Mexico. There were also complaints that the regional office occasionally circumvented the council and dealt directly with discretionary grant recipients or other state, regional or local officials.

As in the other case study states, there was dissatisfaction with LEAA planning guidelines. In the view of council staff, these guidelines are frequently late and seem designed to satisfy bureaucratic requirements rather than to serve a workable purpose. There was some fear expressed that increasingly the guidelines are limiting state discretion and flexibility and imposing planning requirements that some states, such as New Mexico, cannot meet.

Table 4

Part B Allocations to New Mexico Regions and to the Metropolitan Criminal Justice Coordinating Councils (MCJCC) FY 1976

Region	Variable Factor	Variable Amount	Base	Total	Adjusted Total
	%	$	$	$	$
1	8.28	2,832	21,000	23,832	26,950
2	13.73	4,696	21,000	25,696	30,953
3	4.57	1,563	21,000	22,563	24,243
4	7.15	2,455	21,000	23,445	26,183
5 & 7	11.03	3,772	21,000	24,772	28,971
6	15.73	5,380	21,000	26,380	32,396
MCJCC	39.51	13,512	21,000	34,512	11,504 (⅓)
TOTALS	100.00	34,200	147,000	181,200	181,200

Source: New Mexico Governor's Council on Criminal Justice Planning.

Table 5

Recipients of Action Funds
1974 Grant Sample

Recipient	Number of Grants	Percent of Grants	Amount of Funds	Percent of Funds	Average Amount of Funds
State	47	43	$1,530,518	56	$32,564
County	21	19	555,208	20	26,438
City	36	33	524,731	19	14,575
Other	6	6	126,881	5	21,146
TOTAL	110		$2,737,338		

SAFE STREETS FUNDING

Since the beginning of the Safe Streets program, block grant awards to New Mexico (Parts C and E) have climbed from $101,500 in FY 1969 to $2,369,382 in FY 1975. In FY 1975 these funds accounted for approximately five percent of the state's total expenditures for criminal justice.

In order to determine the uses of Safe Streets funds in New Mexico, the ACIR field team reviewed all Part C grants awarded by the council in calendar year 1974.* As can be seen in Table 5, state agencies received 47 of the 110 grants awarded during this period and 56 percent of the funds. Conversely, localities received 57 grants and 40 percent of the funds. It should be noted, however, that included among the state grants is a major diversion project for first offenders that directly benefits localities, but is administered by the state. Private nonprofit organizations accounted for the remaining six grants, or five percent of the funds. This pattern of distribution is fairly consistent with the relative proportion of state and local criminal justice expenditures in New Mexico; state agencies account for 53 percent of all direct outlays, and local governments, for 47 percent.

Data from the LEAA Grants Management Information System (GMIS) tend to corroborate the findings of the ACIR analysis.** According to GMIS, 57 percent of FY 1974 block monies (Parts C and E) was awarded to state agencies, 21 percent to cities, 20 percent to counties, and less than one percent to private organizations.

Almost all New Mexico cities and counties responding to the ACIR questionnaire* thought that more funds should be directed to the local level. All five cities responding, and seven out of the nine counties responding, said that the amount of monies passed through by the state to local government was not equitable and did not reflect a balance between state and local needs. Not surprisingly, these same respondents indicated that localities should receive a greater portion.

Similarly, all five cities and seven out of the nine counties said that their jurisdictions did not receive a "fair share" of Safe Streets Part C funds compared with other localities in their region. Major reasons for this inequity, according to the respondents, were the lack of adequate representation on the council and the weak political position of their locality.

According to the council's former executive director, there was some sentiment among the regions that too much money was awarded to Albuquerque at the expense of the state's more rural areas. In his view, however, Albuquerque received too few funds compared with its share of the state's population and crime. GMIS data bear out this opinion. Albuquerque has approximately one-third of the total population of New Mexico and, in 1973, had 44 percent of its reported index crimes. Yet GMIS figures show that the City of Albuquerque received only 18 percent of FY 1972-1974 Part C monies passed through to New Mexico localities. The chief administrative officer of Albuquerque, however, claimed that the city received a fair share of funds, but noted that it was often difficult to convince the previous council, which he saw as rurally dominated, of the city's needs.

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*For a discussion of the methodology used in this grant analysis, see Chapter VIII.

**For a discussion of the limitations of GMIS data, refer to Chapter V. As of August 1975, GMIS included 90 percent of all FY 1972 New Mexico awards, 99 percent of FY 1973, and 88 percent of FY 1974.

*In June 1975, ACIR mailed a questionnaire to the chief executive officer of all municipalities and counties of 10,000 or more population. By October, responses had been received from 40 percent of the municipalities and 41 percent of the counties to whom the questionnaire had been sent in New Mexico.

When they were asked in the ACIR questionnaire whether or not their area received an equitable portion of Part C funds compared to other regions, four regional commissions answered "yes" and three answered "no". Most regional officials interviewed thought that state agencies had the greatest voice and influence in the funding process.

The allocation of FY 1975 funds among the regions is shown in Table 6. As this table indicates, almost all Part E funds are retained at the state level, because the state has primary correctional responsibility.

To determine the kinds of activities supported with Safe Streets funds, each grant was classified in one of five general categories, as shown in Table 7.

Like other case study states, New Mexico has used the bulk of its action monies to provide services. Unlike the others, however, New Mexico awarded comparatively few funds (seven percent) for the purchase of equipment, although these projects represented 21 percent of the total number of grants. The 23 equipment projects were mainly to acquire police radios, vehicles and investigative equipment. Similarly, only a small amount of funds (four percent) was awarded to training activities—the lowest percentage in all of the case study states. On the other hand, construction received 10 percent of the funds ($262,605), mainly for the renovation of several county jails—a higher proportion than in any of the other case study states.

The distribution of awards by criminal justice functional component is illustrated in Table 8.

On the whole, funding is fairly evenly balanced among four of the five major components. No grants were classified in the "drug and alcohol" category, but it should be noted that the categories are not mutually exclusive and that some projects do deal with substance-abuse problems, even though their overall mission warrants a more generalized classification.

Surprisingly, New Mexico allocated a smaller portion of its funds (30 percent) to police than did a number of other case study states. Although the police component received more grants than any of the other functional areas, the state appears to have succeeded in its attempt to de-emphasize police funding in recent years. Another factor to be con-

Table 6

New Mexico Regional Distribution of Part C and E Funds
FY 1975

Region	Part C	Part E	1975 Total	Percent of Total Funds
1	$ 57,543	0	$ 57,543	2
2	197,983	0	197,938	8
3	83,672	0	83,672	4
4	63,127	0	63,127	3
5	9,977	0	9,977	.5
6	70,424	0	70,424	3
7	74,873	11,550	86,423	4
Metro	661,572	0	661,572	28
State agency	824,405	251,733	1,076,138	45
Indian	62,514	0	62,514	3
TOTALS	$2,106,045	$263,283	$2,369,328	100

Source: New Mexico Governor's Council on Criminal Justice Planning, awards of council meeting of March 26 and 27, 1975.

Table 7

Primary Activities Supported with Action Funds
1974 Grant Sample

Primary Activity	Number of Grants	Percent of Grants	Amount of Funds	Percent of Funds
Equipment	23	21	$ 178,433	7
Construction	7	6	262,605	10
Services	68	62	2,104,812	77
Training	6	6	117,270	4
Personnel	6	6	74,218	3
TOTAL	110		$2,737,338	

sidered in interpreting the data in Table 8 is that three percent of the total funds (about 10 percent of the monies allocated for police) supported police information systems. Similarly, a small portion of the funds for courts and corrections supported information systems in those functional areas.

The significant percentage (28 percent) of funds awarded to the juvenile delinquency area is also somewhat surprising. Two hundred thousand dollars of the total Part C funds awarded to this area supported a major state-administered program designed to provide sentencing alternatives to adjudicated first offenders. This project was designated an "exemplary project" by LEAA, and the state is already planning to institutionalize this program and support it with state revenues.

Once again, GMIS data serve to cross-check the findings of the grant analysis. Table 9 indicates that allocations of Part C funds to police have decreased from 93 percent in FY 1969 to 31 percent in FY 1974. Conversely, court awards have increased from no awards in FY 1969 to 22 percent in FY 1974. The amount of funds granted to corrections has also risen from zero in FY 1969 to 22 percent of the Part C funds in FY 1974 and 26 percent of combined Part C and E funds.

To determine the extent to which Safe Streets funds were used to support innovative or new activities, grants were classified according to two additional categories. The first set, shown in Table 10, reflects the degree to which the activities had been attempted at the state and local levels prior to Safe Streets funding. The second set, shown in Table 11, assesses the innovative nature of the activities supported by Safe Streets funds.

As Table 10 indicates, 74 percent of the grants and 82 percent of the funds were used to support activities that had not been attempted previously in the locality. This finding is reinforced by the data in Table 11, which shows that 72 percent of the funds was used for projects that were considered new, and only one percent was awarded to routine activities.

Table 8

Distribution of Action Funds by Functional Component
1974 Grant Sample

Functional Component	Number of Grants	Percent of Grants	Amount of Funds	Percent of Funds
Police	39	35	$ 818,205	30
Courts	21	29	484,967	18
Corrections	20	28	548,928	20
Juvenile delinquency	28	26	751,477	28
Drugs and alcohol	0	0	0	0
Combinations	2	2	133,761	5
TOTAL	110		$2,737,338	

Table 9

Functional Distribution of Part C and E Funds
FY 1969-1974

Fiscal Year	Subgrant	Police				Courts				Corrections				Combinations				Non C-J Agencies			
		No.	%	$ Amount	%	No.	%	$ Amount	%	No.	%	$ Amount	%	No.	%	$ Amount	%	No.	%	$ Amount	%
1969	Part C	24	92	114,049	93	0	0	0	0	1	3	650	0	1	3	7,308	5	0	0	0	0
	Part E	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
	Total	24	92	114,049	93	0	0	0	0	1	3	650	0	1	3	7,308	5	0	0	0	0
1970	Part C	100	87	907,636	87	2	1	2,880	0	7	6	90,272	8	5	4	39,839	3	0	0	0	0
	Part E	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
	Total	100	87	907,636	87	2	1	2,880	0	7	6	90,272	8	5	4	39,839	3	0	0	0	0
1971	Part C	103	66	831,259	51	21	13	162,068	9	14	8	237,278	14	14	8	346,034	21	4	2	49,385	3
	Part E	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
	Total	103	66	831,259	51	21	13	162,068	9	14	8	237,278	14	14	8	346,034	21	4	2	49,385	3
1972	Part C	80	66	1,106,601	57	16	13	172,897	9	10	8	343,686	17	3	2	112,055	5	12	9	179,935	9
	Part E	0	0	0	0	0	0	0	0	5	100	136,486	100	0	0	0	0	0	0	0	0
	Total	80	63	1,106,601	53	16	12	172,897	8	15	11	480,172	23	3	0	112,055	5	12	9	179,935	8
1973	Part C	55	55	1,242,721	51	14	14	191,766	7	18	18	637,809	26	3	3	121,499	5	9	9	209,855	8
	Part E	0	0	0	0	0	0	0	0	8	100	216,812	100	0	0	0	0	0	0	0	0
	Total	55	51	1,242,721	47	14	13	191,766	7	26	24	854,621	32	3	2	121,499	4	9	8	209,855	8
1974	Part C	33	40	702,947	31	15	18	488,395	22	20	24	488,705	22	8	9	306,761	13	5	6	215,200	9
	Part E	0	0	0	0	0	0	0	0	5	100	121,785	100	0	0	0	0	0	0	0	0
	Total	33	38	702,947	30	15	17	488,395	21	25	29	610,490	26	8	9	306,761	13	5	5	215,200	0

Source: GMIS data.

In summary, based on 1974 awards, it appears that New Mexico grants a higher percentage of funds to state agencies than all but one of the other case study states. This finding is consistent with the dominant role played by the state in financing and delivering criminal justice services. Like other states examined, New Mexico awards most of its funds to service activities and to projects that probably would not have been initiated without Safe Streets "seed" money. Unlike other states, however, New Mexico does not award the bulk of its funds to police.

Grant Administration

Once the state plan is approved by the LEAA regional office, copies of the annual action section, which outlines the types of programs that will be considered by the council for funding, are sent to all regions, including the MCJCC, local units of government, state agencies and participating non-profit organizations. Local and state applicants then prepare project proposals based on the descriptions and criteria set forth in the annual action section.

Applications from local governments are submitted to the appropriate regional commission for review and recommendation and to the appropriate council of governments for A-95 review. Once the application is cleared by the council of governments, a letter indicating what local action was taken and a copy of the application is sent to the State Planning Office for final A-95 sign-off. No application, state or local, is considered complete by the council, and therefore eligible for funding, until this review has been completed.

The regional commission forwards the application, along with its comments, to the Governor's Council where it is reviewed by staff for fiscal and programmatic adequacy. The staff then prepares a digest of each application, which includes the recommendations of both the regional commission and the council staff, and outlines any special conditions that are proposed by the staff. These digests are sent to the council for final action. Although there has been some discussion of the feasibility of delegating to the executive director the authority to approve grants of relatively small dollar value, at the present time the council approves or disapproves each individual application. Although the council makes the final decision, it has in the past usually accepted the recommendations of the staff.

State agency applications generally follow the same process; however, they are submitted directly to the Governor's Council rather than to a regional commission. State applications must also be sent to the State Planning Office for clearance and, if a project has impact on specific communities, copies are also sent to those councils of governments affected for their review.

Some interviewees claimed that the grant award process under the previous administration was largely a logrolling operation, with different factions on the council jockeying for funds. According to the former executive director, the regional commission chairmen, who were council members at the time, frequently formed a coalition to vote against projects

Table 10

Prior Attempts of Activity
1974 Grant Sample

	Number of Grants	Percent of Grants	Amount of Funds	Percent of Funds
Never attempted anywhere	2	9	$ 212,000	8
Never attempted in state	36	33	1,231,261	45
Never attempted in locality	43	39	797,242	29
Has been attempted in locality	29	26	496,835	18
TOTAL	110		$2,737,338	

Table 11

Distribution of Action Funds by Degree of Innovation
1974 Grant Sample

Innovation	Number of Grants	Percent of Grants	Amount of Funds	Percent of Funds	Average Amount of Funds
New activity	71	65	$1,957,927	72	$27,576
Expansion	14	13	242,717	9	17,336
Update	17	16	506,390	19	29,787
Routine	8	7	30,304	1	3,788
TOTAL	110		$2,737,338		

of state agencies and the Albuquerque MCJCC. The chief justice of the State Supreme Court said the application award procedure was replete with political bartering and claimed he had to "romance everyone" to receive money. In part, this environment was the result of the council's lack of formal policies governing how projects would be funded or action grants apportioned and of the regional coordinators' conception of their role as one of "hustling" funds for their constituents.

The council staff estimates that the total award process, from development of the application by the grantee to the actual receipt of funds, takes from 14 to 21 weeks. Replies to the ACIR local questionnaire revealed some dissatisfaction with the length of time involved. Three of the eight county officials and four of the five city officials responding said that their jurisdictions had experienced major delays in the grant award process since 1973. One reason cited by the respondents for these delays was the changes in guidelines and other requirements. In addition, both interviewees and questionnaire respondents mentioned that delays had resulted from the changeover in state administration.

Although the council receives applications and awards funds on a quarterly basis, nearly 90 percent of the fiscal year block monies are granted at an annual award meeting held shortly after the approval of the state plan. The remaining 10 percent, along with any deobligated monies, are awarded at subsequent quarterly council sessions. In order to comply with the 90-day rule requirement of the Safe Streets Act, the council sets a specific schedule for the submission of applications. This schedule insures that all applications are received at least one full month prior to their presentation to the council for approval or denial. Applications can be returned by the staff if they are not complete, if they do not conform to an approved annual action program or if there are no available funds in the appropriate plan category.

After the annual awards meeting, the council staff holds post-award conferences in each region. All grantees must attend. These meetings were initiated by the former executive director to help grantees understand the various fiscal and programmatic requirements involved in administering a Safe Streets grant.

Based on the recommendation of the committee studying regional issues, the council has adopted a process for the award of FY 1976 funds that differs significantly from that followed in previous years. For the first time, each region and the MCJCC will receive a provisional allocation of Part C funds. This allocation is based on a formula by which the region's percentage of the total state population and the total state crime is applied against the minimum amount of Part C funds that must be made available to localities. In addition, five percent of the funds is set aside to be awarded at the council's discretion, with priority given to continuation projects that exceed a region's allocation.

No functional limits are placed on this allocation. In other words, the council does not require each region to set aside a minimum portion of their total allocation for police, courts, corrections or other components of the criminal justice system. On the other hand, the allocation is provisional largely because of the need to insure that overall funding is consistent both with LEAA's requirements for functional balance and with the allocations to various program categories in the plan. Under the provisional allocation system, Indian tribes will submit their applications through regional commissions. Grants for Indian projects must come out of the regional allocation.

For FY 1976 funds, each regional commission will be required to review local applications carefully, to reject those for which it does not have funds and to prioritize the remainder within the limits of their allocation and council-developed statewide goals and priorities, as expressed in the plan. Applications will then be submitted to the council staff for review and reconciliation with state goals, functional balance and program category dollar amounts. Council staff exceptions to regional priorities will be submitted to a committee of all regional commission chairmen for resolution prior to final action by the council.

Thus, the FY 1976 grant award process will necessitate a much stronger priority-setting role on the part of the regional commissions. Whereas previously the regions tended to endorse all local applications, they now will have to pick and choose, recommending some for inclusion within the region's allocation and some for denial. This process has yet to be implemented, but regional officials interviewed believed it represented a significant, positive step toward strengthening the regions and making their participation in planning and funding decisions more meaningful. The MCJCC staff, however, was somewhat concerned about the unanswered questions that remained at the time of the ACIR field visit: will there be a cut-off point beyond which all unawarded funds will be open for general competition; how much discretion will the regions actually wield; and how will the five percent council discretionary fund be distributed?

Continuation Funding

New Mexico previously had a policy encouraging applicants to assume the costs of Safe Streets funded projects, but it was not until 1975 that a policy was adopted by the council specifically limiting the period of Federal support and calling for a phasing-out of Safe Streets funds over three years. In the first year, projects generally receive 90 percent Federal funds and 10 percent matching monies. The second year, Federal support decreases to 75 percent and the matching share increases to 25 percent. In the third year, Safe Streets funds contribute one-third of the total project costs with the remainder provided from state and/or local sources. Two major exceptions to this policy are training projects, which are considered to be of a recurring nature, and grants for the operation of the Albuquerque Metropolitan Criminal Justice Coordinating Council.

Despite the absence, until recently, of a specific formal policy, New Mexico has a relatively low percentage of its block grant allocation committed to continuation projects. The council staff estimates that only 30 percent of FY 1975 funds supported previously funded activities. Conversely, however, it is estimated by the staff that only about 30 percent of all previously funded projects are continuing to operate with state or local government support—a fairly low rate of cost assumption. According to the staff, the most important factors in determining whether or not a project will be continued when Safe Streets funding ends are the financial ability of the governmental unit to support the project and the project's political appeal.

State Buy-In

New Mexico has adopted an unusual approach to meeting the state buy-in provision of the Safe Streets Act, which requires the state to contribute one-half of the mandated non-Federal match for local projects. Suggested by the Legislative Finance Committee and approved by the LEAA regional office, this approach entails the use of state cigarette tax revenues, a portion of which is returned to the localities, for meeting the state's buy-in obligation. According to the interviews, however, some local officials do not favor this approach, believing that it makes it extremely difficult to track and account for the state buy-in monies and also, that it unfairly commits revenues that are returned by the state for local use.

Monitoring and Evaluation

Both monitoring and evaluation are activities that have been significantly limited by the lack of adequate planning funds and insufficient staff. Despite earlier attempts of the former executive director to obtain state support for an evaluation specialist, it was not until 1975, when New Mexico received about $30,000 in deobligated Part B monies, that the council was able to hire an evaluation manager to plan, administer and conduct evaluation and to coordinate monitoring activities. Under his direction, the council has developed an evaluation strategy, to be supported with project funds, that will call for more specific and quantified applications, a strengthened project reporting system, formalized project performance monitoring and intensive evaluations in selected program areas. Although the Albuquerque MCJCC has for some time monitored all local projects within its area, under the new council guidelines all regions will officially assume responsibility for monitoring local activities and meeting the standards set by the council.

IMPACT OF THE SAFE STREETS ACT

As in the other case study states, the Safe Streets program in New Mexico has had little noticeable effect in reducing or controlling crime. Since 1968, the state's reported index crime rate has more than doubled. Nevertheless, most officials interviewed believed that it was unrealistic and unfair to judge the program strictly in terms of crime reduction, given the limited resources available, the lack of understanding of how to deal with crime and the general inability of criminal justice agencies to act until after a criminal event has occurred.

Despite the rise in crime, the Safe Streets program has helped to strengthen the state's criminal justice system. It has been instrumental in bringing about a number of improvements to a system of criminal justice that was in many instances under-financed, under-staffed and ill-equipped. For example, through the Safe Streets program, New Mexico was able to establish a Law Enforcement Academy that is now the main source of police training in a state where most local departments are too small to conduct their own basic, in-service or advanced training activities. Other benefits include updated equipment, a new public defender system, improved forensic laboratory services, modernized and expanded law enforcement communications, a revised criminal code, increased training for judges, the establishment of tactical law enforcement units, such as narcotics squads and the creation of a full-time parole board.

Another positive effect of the Safe Streets program cited by the interviewees was the increased communication among the various components of the criminal justice system. The program has created forums at the state, regional and local levels that facilitate the exchange of information and ideas across functional and jurisdictional lines. All participants believe that this heightened interaction has led to greater mutual understanding, but it is difficult to point out concrete examples of increased system integration.

As of mid-1975, the council and its regional commissions had not yet established their credibility as planning agencies responsible for more than the distribution and administration of Safe Streets funds. As a result, it seems unlikely that Safe Streets planning units would continue to function with state and local government support if the block grant program were discontinued. However, the coordinator of the Albuquerque MCJCC thinks that the MCJCC would continue to operate on local funds—though with a much-reduced staff—if Federal funding stopped. Although the present state administration envisions a far broader role for the council—one involving planning for all state criminal justice resources—achieving this goal will depend greatly on continued gubernatorial support, increased staff capability, renewed legislative backing and heightened respect for the council by other state and local criminal justice agencies.

SUMMARY OF MAJOR ISSUES

New Mexico is a state where the Safe Streets program is in a period of transition. Prior to 1975, almost all authority and responsibility for planning and funding decisions rested at the state level. Although a system of criminal justice regional planning units had been established, these units had little authority or capacity. Under the new governor, however, the council has delegated additional responsibility to the regions and upgraded the status and caliber of regional staff. The provisional allocation, although it has yet to be fully implemented, appears to give to the regions a far greater voice in determining what projects will be funded in their area and thus transfers some authority from the state to the regional level. In addition, at LEAA's prodding, the state has made more rigorous efforts to insure that regional commission members, who are appointed by the governor, adequately reflect local governmental interests. Regional staff are to be state employees, in order to insure more equitable benefits and personnel policies. It is hoped that this decision will achieve its objective of improving the status of these personnel without undermining their role as regional commission staff.

The lack of adequate planning funds is a recurrent theme in the New Mexico Safe Streets program and appears to have significantly hampered both state and regional efforts in planning, managing, evaluating and monitoring grants, and in providing technical assitance. New Mexico illustrates the problems experienced by a small state, particularly one that is large geographically, in obtaining enough funds to meet the myriad responsibilities involved in administering a block grant program. It raises the issue of whether or not Part B funds should be distributed on the basis of population, as the law now requires, or whether there should be a minimum support level for all SPAs, since all are required to perform a certain number of basic functions, such as planning, grants management, and auditing. The state has attempted to supplement its Part B allocation by the use of deobligated planning funds and LEAA discretionary grants, but it appears that increased Part B or state general fund support is necessary if the state is to properly fulfill all its Safe Streets responsibilities and particularly if the council is to become a comprehensive planning agency. The LEAA General Counsel's opinion requiring the state to award Part B rather than Part C funds to the Albuquerque MCJCC exacerbates the problem of insufficient planning funds.

The New Mexico experience also underscores the dependency of the block grant program on the interest and support of the governor. The previous administration viewed the role of the council as primarily one of awarding Federal funds. Governor Apodaca, through his top aides, has envisioned a council that not only plans for the Safe Streets program but for other state criminal justice resources as well. Whether or not the council will ultimately be able to fulfill this role remains to be seen, but the prestige and stature of the governor's office have served to revitalize the council and its staff.

FOOTNOTES

[1] New Mexico, Governor Jerry Apodaca, Executive Order 75-4, February 26, 1975.

[2] New Mexico, *Interim Report of the Governor's Council on Criminal Justice Planning Regional Planning Unit Study Committee*, May 1975, p. 1.

[3] *Ibid.*, pp. 1-2.

[4] New Mexico, Governor Bruce King, Executive Order 73-11, May 24, 1973.

[5] New Mexico, Governor's Council on Criminal Justice Planning, *Policy Manual*, December 1975, p. 6.

[6] J. Robert Grimes, Regional Administrator, Law Enforcement Assistance Administration, to Charles E. Becknell, Executive Director, Governor's Council on Criminal Justice Planning, June 19, 1975.

[7] Thomas H. McCorkill, Coordinator, Region IV, to Ted Vroman, Assistant Director, Governor's Council on Criminal Justice Planning, August 1, 1975.

[8] *FY 1975 New Mexico State Plan.*

[9] U.S. Department of Justice, Law Enforcement Assistance Administration, Office of General Counsel, Legal Opinion 75-54, May 22, 1975.

[10] *Ibid.*

APPENDIX 1

New Mexico Site Visits

In addition to interviewing state officials, the ACIR field team visited two regional commissions (Regions II and III), the Albuquerque MCJCC, two counties (Bernalillo and Taos) and two cities (Santa Fe and Albuquerque). These areas were selected in an effort to obtain a balance between rural and urban interests. The two regions and MCJCC together encompass about half of the state's population. Region III is a rural, three-county region with a population of about 63,000 persons. Region II, a seven-county area with about 153,000 inhabitants, is also largely a rural environment, although it does include the resort and tourist areas of Santa Fe and Taos. On the other hand, the Metropolitan Criminal Justice Coordinating Council serves both the City of Albuquerque and the County of Bernalillo. With more than 300,000 residents, this area is by far the most populous in the state, although there are rural areas within the county. The Albuquerque metropolitan area has about 30 percent of the state's population and 49 percent of the 1973 reported crimes.

Interviews Conducted in New Mexico

Governor's Council on Criminal Justice Planning

Dr. Charles E. Becknell, Executive Director
Ben Montoya, Chief of Audits
Julia Lopez, Deputy for Planning/Programs
Ted Vroman, Deputy for Administration
Sam Larcombe, Chief Planner/Corrections Specialist
Dick Lindahl, Courts Specialist/Regional Commission Liaison
Charlene Marcus, Indian Specialist
Gedi Cibas, Evaluation/monitoring Specialist
Phil Aranda, Fiscal Officer
Lloyd McClendon, Grants Manager

State Officials

Nick Franklin, Chairman of the Council, Administrative Assistant to the Governor
Toney Anaya, Attorney General
John Kormanick, Department of Finance and Administration
Maralyn Budke, Legislative
John Gillis, Finance Committee

State Criminal Justice Agency Officials

Martin Vigil, State Police Chief
Frank Lucero, Fiscal Officer, Probation and Parole
Howard Leach, Secretary of the Department of Corrections
Chief Justice Robert McManus, New Mexico Supreme Court

Regional Commissions

Region II (Santa Fe)

Palenon Martinez, Vice-Chairman (County Commissioner, Taos, New Mexico)
Richard Serna, Regional Coordinator

Region III

Sheriff Robert Budagher, Chairman
Connie Cohn, Regional Coordinator

Albuquerque MCJCC

Chief Bob Stover, Chairman
Dick Leonard, Coordinator
Gabe Brito, Assistant Coordinator
John Herring, Law Enforcement Planner
Vince Trollinger, Juvenile Justice Planner
David Chaitz, Courts Planner

Counties

Bernalillo

James M. O'Toole, Judge, Municipal Court
Robert Hawk, County Commissioner

Taos

Francis Quintana, Taos' Boys Club
Sheriff Arturo Trujillo, Taos County
Ernie Trujillo, Metro Squad, District Attorney's Office
Luis Martinez, Chairman, County Commissioners
Eugene Sanchez, Juvenile Probation Officer
Hildalgo Trujillo, Assistant District Attorney—Taos

Municipalities

Santa Fe

Phillip Baca, City Manager
Fred Garcia, Federal Programs Director
Ruby Miller, Police Chief
Richard Padilla, Probation Officer
Greg Arenja, Lieutenant, Police Department

Albuquerque

Frank Fleinhertz, Chief Administrative Officer
Don Fellows, Department of Corrections

LEAA Regional Office

Thomas Tubbs, Deputy Director of Operations
Robert Nelson, State Representative, New Mexic

APPENDIX 2

Responses to Local Questionnaires

New Mexico
1975

	Counties			Cities		
Population Group	Number Surveyed	Responding		Number Surveyed	Responding	
		No.	%		No.	%
Over 500,000	0	0		0	0	
250,000 - 500,000	1	1	100	0	0	
100,000 - 249,999	0	0		1	1	100
50,000 - 99,999	4	2	50	0	0	
25,000 - 49,999	7	2	29	5	3	60
10,000 - 24,999	10	4	40	7	2	29
TOTAL	22	9	41	13	6	46

North Carolina

Ranking 12th in population among the states, North Carolina had 5,273,000 inhabitants in 1972. The state has eight Standard Metropolitan Statistical Areas (SMSAs), 100 county governments and 454 municipal governments. Sixty-eight percent of the counties have fewer than 50,000 residents, while 74 percent of the cities have fewer than 2,500 people. In 1973, North Carolina's index crime rate was 2,811.9, 30th in the country.

North Carolina was selected to be the subject of a case study for three basic reasons: (1) its geographic location in Southeastern United States; (2) its state dominance in the financing and delivery of criminal justice services; and (3) the active role of its current governor in the Safe Streets program.

THE CRIMINAL JUSTICE SYSTEM

The North Carolina criminal justice system is largely state-financed and operated. In FY 1972-73, state expenditures accounted for 54 percent of total state and local outlays for criminal justice.[1] Of the state's direct expenditures for criminal justice ($105.9 million), 23 percent was spent for police protection, 21 percent for the judiciary, three percent for prosecution, four percent for indigent defense, 48 percent for corrections, and 0.7 percent for other criminal justice purposes. Of the $92 million in local outlays, 84 percent was spent for police protection, two percent for the judiciary, two percent for prosecution, none for indigent defense, eight percent for corrections, and four percent for other criminal justice purposes.[2]

Police protection is the only criminal justice function that is primarily the responsibility of local government; 76 percent of all direct expenditures for this purpose are made at the local level.[3] North Carolina has more than 500 municipal police and county sheriff departments. The state role in law enforcement is limited to operation of the Highway Patrol, which has general arrest authority throughout the state, and the State Bureau of Investigation (SBI), the criminal investigation division of the state Department of Justice. Although the SBI has original jurisdiction in some areas, its primary function is to assist local law enforcement agencies in criminal investigations when requested to do so by the governor or the attorney general.

Judiciary, prosecution and defense functions are primarily financed and controlled by the state. The state has a unified court system consisting of the Supreme Court, the Court of Appeals, superior courts (courts of general jurisdiction), and district courts (courts of limited and special jurisdiction). The Administrative Office of the Courts (AOC) provides centralized administration of the courts system. The director of the AOC is appointed by the chief justice of the Supreme Court. Judges are chosen in popular elections.

Prosecution is the responsibility of district attorneys who, although elected locally, are under the administrative umbrella of the AOC. In general, defense of the accused is handled by an assigned counsel system administered under the aegis of the AOC.

Recent state legislation (1974) established a uniform statewide program of juvenile probation and after-care and a new division within AOC to administer the program.

The state has main responsibility for corrections; it accounted for 87 percent of all corrections expenditures in FY 1973.[4] When state government was reorganized in the early 1970's, responsibility for adult institutions, probation, and parole was centralized in the Department of Corrections; under legislation enacted in the 1975 session of the general assembly, authority over juvenile institutions and services belongs to the Department of Human Resources. Local adult facilities include county jails operated by sheriffs (elected officials), a few municipally operated jails and police lock-ups. Juvenile detention facilities are maintained by some of the larger counties.

THE STATE PLANNING AGENCY

The Governor's Law and Order Commission is the supervisory board of North Carolina's state planning agency (SPA) and, as such, is responsible for setting policy relating to the allocation and expenditure of planning and action funds received by the state under the Safe Streets program. The administrative branch (the SPA) of the commission is the Law and Order Section of the Division of Community Assistance of the Department of Natural and Economic Resources.

The Governor's Commission on Law and Order (originally called the Governor's Committee on Law and Order) was established in 1965 by executive order.* Two years later, the North Carolina General Assembly enacted legislation making the commission and its administrative arm a statutory division of the newly created Department of Local Affairs.

In 1971, as part of an overall reorganization of state government, the general assembly enacted the Executive Organization Act, which temporarily transferred the commission and the Law and Order Division to the Department of Natural and Economic Resources. Three years after the interim organization, a bill was introduced that would have placed the division in the Department of Administration. However, in further reorganization of the state government, the general assembly inadvertently repealed the statutes providing for the commission and the division. Subsequently, it appeared that the governor would issue an executive order re-establishing the commission and placing the Law and Order Division within the Department of Administration. 430 Then the governor issued an executive order re-establishing the commission, but keeping the Safe Streets program within the Department of Natural and Economic Resources as a newly created Law and Order Section of the Division of Community Assistance.

In June 1975, the general assembly once again gave statutory recognition to the commission and the Law and Order Section. However, the primary intention of this legislation was to reconstitute the commission's membership, not to relocate the program in state government. (See below.)

Although the North Carolina SPA has experienced many reorganizations since 1965, its basic responsibilities have remained the same. The changes have affected the stability of the agency and have served to remove it from its initial location in the governor's office to a section of a division within a larger department. Despite this organizational configuration, the present governor exercises strong leadership in the North Carolina program.

Supervisory Board Composition

Prior to July 1975, members of the commission were appointed by the governor for one-year terms. There were 26 members, 12 of whom were ex offico representatives of state agencies. Neither state legislators nor elected officials of general local government were members of the commission; local government representation was obtained primarily through the appointment of the executive directors of the North Carolina Association of County Commissioners and the League of Municipalities.

Local government officials' dissatisfaction with the composition of the commission and what they believed to be the state's unresponsiveness to their planning and funding needs spurred the general assembly to enact legislation, effective July 1, 1975, which reconstituted the commission, established staggered, three-year terms for members and increased local general government representation. The new commission consists of 28 members, only eight of whom are ex offico representatives of state agencies. The remaining 20, appointed by the governor, must include five county commissioners and five elected municipal officials (see Table 1). The new law gives elected officials of local general government a direct and substantial voice on the commission for the first time. Elected general purpose local government officials now comprise approximately 36 percent of the commission's membership.

In light of the state's predominance in the criminal justice system in North Carolina, it is possible that the 1975 legislation has overweighted commission membership in favor of local interests. Supporters of the legislation argue that local governments have primary responsibility for law enforcement, which is the "first line of defense against crime." In addition, they contend that the former commission was unresponsive and insensitive to local plans and funding requests. Opponents of the changes argue that the state provides 54 percent of the total financing for criminal justice services and has almost complete responsibility in the area of corrections and courts.

The present commission operates under an approved set of bylaws. The governor (currently serving as chairman) designates a chairman and vice chairman. The commission has seven special advisory committees: preadjudication, adjudication, postadjudication, juvenile justice, policies and procedures, criminal justice information systems, and communications. The committees review applications and plans in their respective areas and make recommendations to the full commission.

The commission meets quarterly, but may convene more frequently at the request of the chairman. Members may designate representatives to sit for them, with full voting rights. Attendance at com-

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*In order to avoid confusion, the term "commission" is used throughout the case study when referring to the SPA supervisory board, although, in fact, it was not until July 1975 that it was officially renamed the Governor's Commission on Law and Order.

Table 1

Composition of Governor's Law and Order Commission

(As Mandated by Statute, July 1975)

	Number	Percent
Police	6	21
Courts	6	21
Corrections	2	7
Public	2	7
General State Government	2	7
General Local Government	10	36
TOTAL	28	99

Source: General Assembly of North Carolina, Session 1975, Senate Bill 833.

mission meetings is high; the majority of members attend at least 70 percent of the time, according to the Law and Order administrator. The practice of designating alternates for official members appears to be limited, probably because of the governor's active participation. Also, a former commission member attributed the high attendance rate to the "substantial degree of factional and partisan politics" on the commission.

Staff

The present administrator of the Law and Order Section is the sixth since the inception of the Safe Streets program. Frequent change in leadership can be attributed, at least in part, to changes in state administration, since the program is now operating under its third governor. (North Carolina governors cannot serve two consecutive terms.) Prior to the appointment of the present administrator in spring 1974, the Law and Order Section was headed by an acting administrator for more than 16 months. It was difficult for the acting administrator, uncertain of his authority, to provide firm leadership and policy direction. The incumbent administrator contends that during this prolonged interim period the Law and Order Section "fell behind in developing the annual Plan, in Comprehensive Data Systems, and in Standards and Goals." He said that the section must now "catch up" after repeated delays caused by uncertain and unstable direction.

The Law and Order Section has 25 professional and 10 clerical staff members. In addition, 10 professional and five clerical auditing and accounting positions are supported by Law and Order planning funds (Part B). These employees are located in the Division of Fiscal Accounts and do not report directly to the administrator of the Law and Order Section. According to the administrator, lack of authority over the financial aspects of the agency's operation intensifies his difficulties in exerting adequate management control and causes needless duplication of filing and record-keeping.

The administrator of the Law and Order Section and a former commission member expressed the view that in the past the staff of the section has exercised too much influence on funding decisions and that generally staff discretion and power have exceeded that of the commission. Several interviewers said that, in the absence of formal committee policy and strong central management, members of the staff developed individual constituencies and created situations where applicants were treated differentially and, at times, inequitably.

The present administrator is attempting to diminish the staff's discretion by: (1) expanding and strengthening the role of the commission's subcommittees in reviewing grant applications and making recommendations to the full commission; (2) minimizing staff participation at commission meetings; and (3) encouraging the development by the commission of written policies and procedures.

Relationship to Other State Agencies

Governor James E. Holshouser, Jr., serves as chairman of the commission and regularly attends and actively participates in its meetings. The governor stated that his decision to take personal leadership of the Safe Streets program was motivated by his own assessment of the program's instability, lack of policy direction, and management deficiencies. He decided that the most effective way to steer the program on a proper course was to become directly involved.

The governor's influence on commission decisions is strong, but appears to be exercised only on issues of particular concern or interest to him. None of the commission members interviewed felt that the governor ramrodded meetings or intimidated members from speaking freely and frankly.

The administrator of the Law and Order Section officially reports through the hierarchy of the Department of Natural and Economic Resources, but he also has access to direct communication with the governor through the commission. Generally, the administrator meets with the governor quarterly, prior to the commission meeting, to brief him on pending issues.

The Law and Order Section has no direct ties to the state general assembly. No legislators are members of the commission. The Law and Order staff does not initiate legislative proposals, draft bills or resolutions, or testify before legislative committees; nor does the commission as a body take positions on individual pieces of legislation. However, the general assembly affects the activities of the Law and Order Section in three basic ways: (1) by enacting legislation affecting the commission's membership; (2) by appropriating buy-in and matching funds for planning and action grants; and (3) by appropriating state general funds to assume the costs of the state agency projects initiated with Safe Streets support.

According to a staff member of the state budget office, the legislature is not fully aware of its implicit responsibility to assume the costs of state 432 agency projects and to some extent resents that it has no voice in the initiation of projects, but is subsequently confronted with requests for continuation funding. The staff member indicated that the legislature is more likely to continue and expand activities initiated with state general fund monies than to assume projects initiated with Federal dollars.

The attorney general is an ex officio member of the commission. The present attorney general finds his influence on the commission small in comparison to his role as the chief law enforcement and legal officer in the state, because he is a Democrat on a commission headed by a Republican governor and his appointees.

The attorney general supports a recent proposal by North Carolina U.S. Senator Robert B. Morgan (S. 1297) to enable state legislatures to determine whether the Safe Streets program should be administered under the authority of the governor or by some other constitutional officer selected by the state legislature.

The attorney general said that local sheriffs and police chiefs look to him for assistance and support in their dealings with the commission. He thought that his inability to provide adequate help was due to the commission's domination by state agency heads, insensitive to local needs, who were appointed by and accountable to the governor.

The Law and Order Section has little direct relationship with the state budget office. Its annual operating budget is included in the total budget request of the Department of Natural and Economic Resources. The main impact of the budget office on the Safe Streets program is in making recommendations regarding state matching funds for operating expenses (Part B) and for state and local action grants (Part C).

The Law and Order Section does not have any part in reviewing and commenting on state agency budget requests, nor does it evaluate or audit projects not supported by Safe Streets funds. The budget office does receive monitoring reports generated by the Law and Order Section's monitoring and evaluation system, but it does not rely on these reports to any significant degree in formulating its own recommendations.

North Carolina state criminal justice agencies have been not only the predominant beneficiaries of Safe Streets funds (receiving approximately 50 percent of the Part C award and nearly 100 percent of the Part E award), but also the major voting bloc on the commission prior to the 1975 legislation. State agencies view the Safe Streets program primarily as a source of funding assistance, which they use, in general, to support low priority programs and to supplement their basic operating budgets. In terms of influence, authority and expertise, these agencies are far stronger than the Law and Order Section and tend to discount as relatively insignificant its efforts at planning, evaluation, and technical assistance. Officials in each of the three major criminal justice agencies interviewed (the Administrative Office of the Courts, the Department of Corrections and the State Bureau of Investigation) indicated that its own internal planning capacity was superior to that of the Law and Order Section. In addition, the agencies viewed the Law and Order Section's technical assistance activities primarily in terms of procedural, rather than substantive, questions centering on the mechanics of the Safe Streets grant program.

REGIONAL PLANNING UNITS

North Carolina regional criminal justice planning units (RPUs) were created in 1969 pursuant to statutory authority conferred by the general assembly on municipalities and counties to create joint agencies to act for and on behalf of participating local jurisdictions. Each local government was required to petition for membership, and each RPU had to comply with minimum guidelines issued by the Law and Order Section regarding geographical boundaries, policy board membership, and powers and responsibilities.

Initially, the Law and Order Section required that each region encompass an area of at least 100,000 population and one county. Twenty-two RPUs were established under these requirements. However, in 1970 the governor issued an executive order establishing 17 uniform substate regional districts. This action reduced the number of RPUs from 22 to 17 and made their geographic boundaries coterminous with those of multipurpose regional councils of governments, known as lead regional organizations (LROs).

Regional planning units operate independently of the commission and the Law and Order Section to the extent that they are legal creations of local general governments, adopt their own bylaws, and retain all authority to hire and fire staff. RPUs rely almost totally on Part B planning funds passed through by the committee for personnel and other operating costs, although some local governments also contribute to the financial support of their RPUs.

Composition of Policy Boards

Regional planning units have policy boards composed of representatives of criminal justice agencies and local general purpose governments. The governing body of each member jurisdiction selects representatives of local general government and local law enforcement, who in turn elect spokesmen for the general public and other elements of the criminal justice system.

The policy boards of the RPUs generally meet twice a year. They delegate to an executive board authority to review and comment on all criminal justice program applications and to act for the full board on all matters other than the adoption of the budget, the annual work plan and changes to the bylaws. In the opinion of most interviewees, it is the executive boards that play the most important role at the regional level in making recommendations to the state on planning and funding issues.

Both the policy and executive boards of the RPUs tend to be dominated by representatives of local law enforcement (police and sheriffs) because: (1) it is difficult to obtain participation from other criminal justice agencies, particularly courts; and (2) law enforcement officers attend and participate more frequently, because they are the primary beneficiaries of the program at the local level.

North Carolina RPUs did not revise the membership of their policy boards to comply with the 1973 Safe Streets Act amendments requiring a majority of local elected officials until mid-1974. According to the present Law and Order administrator, this delay was due to two factors: the infrequency of policy board meetings at which bylaw changes could be enacted, and the lack of prompt guidance from the Law and Order Section directing the regions to implement the new statutory requirement. None of the officials interviewed experienced any significant impact as a result of the new requirement. However, the Law and Order Section administrator thought that greater local elected official participation on the regional boards had stimulated demand for more representation on the commission. One representative of local government indicated that even before the 1973 amendments city and county officials were attempting to participate more actively in the program. He said that in 1968 and 1969 too many local officials, particularly mayors and governing body members, had abrogated their responsibilities by almost completely delegating the program to law enforcement officials. The result was that " . . . the sheriffs and the chiefs simply picked up the ball and ran out from under the jurisdiction of the elected official." 433

Functions

The primary functions of the RPUs are to assess the needs and problems of their region and to submit planning information to the Law and Order Section based on this effort, to assist localities in preparing action grant applications, to review and comment on applications and to provide technical assistance to local governments and criminal justice agencies. In the past, RPUs also acted as recipients for all action grants and provided quarterly project monitoring reports to the Law and Order Section. Beginning with the award of FY 1974 funds, the commission made direct grants to local units of government, eliminating regional grant administration. In addition, the regions lost project monitoring responsibility, a role assumed in June 1975 by the staff of the Law and Order Section.

RPU activities appear to be almost totally related to the Safe Streets program, although some planners indicated that on occasion they provide technical assistance to local police and sheriff departments on substantive issues not involving grants. Local units of government appear to rely heavily on the RPUs. All local officials interviewed indicated that they looked to regional planners for assistance in devel-

Table 2

Part B Allocations to Regional Criminal Justice Planning Units FY 1975

RPU	Number of Counties	Population	FY 1975 Part B Allocation
A	7	115,024	$21,392
B	4	223,576	28,072
C	4	162,276	32,312
D	7	139,364	22,680
E	4	227,402	31,694
F	8	870,150	62,246
G	11	981,393	61,270
H	4	121,692	23,222
J	6	540,599	55,556
K	5	133,997	26,633
L	5	246,842	36,108
M	3	306,663	45,588
N	4	154,684	24,431
O	4	172,305	22,645
P	9	410,123	37,959
Q	5	178,667	39,666
R	10	97,300	28,021

Source: FY 1975 North Carolina planning grant application; and U.S., Department of Commerce, Bureau of the Census, *1970 Census of Population*, Vol. 1 (Washington, D.C.: Government Printing Office, 1972).

oping and processing applications and implementing funded projects, and in general rated highly the assistance they received. Both local and regional officials believed that the RPUs' assistance was most helpful to small, unsophisticated jurisdictions.

Staff

In general, RPUs have from one to three professional staff members. Staff size is severely limited by the amount of planning funds available, since regional Part B allocations ranged from about $21,400 to about $62,200 in FY 1975 (see Table 2). Prior to July 1975, most RPUs also employed a project analyst, who was supposed to monitor all Safe Streets block grant projects within the region and provide the Law and Order Section with quarterly reports. The position was funded with Part C monies. However, after July 1975 the monitoring function was assumed by the Law and Order Section, and the regional project analyst position was eliminated.

The interviewees disagreed regarding the caliber and qualifications of regional staff. Some Law and Order Section personnel thought that regional planners lacked proper education and training for their positions. On the other hand, local officials interviewed rated the capability of regional staffs highly. One regional planner interviewed said that in the beginning days of the program, many planners were not well qualified or professional in their approach, but contended that this was no longer the case.

One source of frustration for the commission is its lack of control over regional staff. The commission has no right to hire and fire or to set salary levels and qualifications, because regional staff members are employees of local government. An attempt to exert some control was made several years ago when the commission directed the State Department of Personnel to conduct a job analysis and pay study of the regions; however, the commission never took final action on the recommendations developed by the department.

Relationship to Substate Regional Districts

In general, the criminal justice RPUs have no direct relationship with the lead regional organizations established by the State in 1970 as multipurpose, substate planning organizations with responsibility in areas such as manpower, health, water and sewage, and land use. Twelve of the 17 RPUs have no formal organizational ties with LROs at present. Three RPUs are partially integrated with LROs. Under this arrangement, the RPU is housed within the LRO and generally relies on it for bookkeeping and other support services, but retains its own policy-making structure and authority over staff. Two of the 17 RPUs are totally integrated with an LRO. In these instances, the regional criminal justice planner is accountable to the executive director of the LRO, and overall policy is directed by the board of the LRO.

Although the LROs are the designated A-95 regional clearinghouses, it appears that their review of applications for Safe Streets projects is, for the most part, pro forma. In addition, there is no evidence of substantive cross-functional planning or program development efforts between the RPUs and the LROs. The lack of linkages among functional program planning and development activities is probably true even in those RPUs that are totally integrated with the LROs, perhaps because the regional criminal justice planner is oriented to application preparation and processing and not to planning. Nevertheless, there was some indication that even partial integration increases opportunities for sharing of data and information, and thus enhances the planning capacity of the RPU.

The relationship of the RPUs to the LROs is now a major issue in North Carolina. It appears that some LROs and some elements of state government are encouraging a merger of the two because the present division causes needless duplication of effort and hinders comprehensive planning. Local government interest groups that believe that such a merger is desirable think that the initiative should come from local government and that mergers should not be imposed by the state.

On the other hand, some interviewees believe that the LROs are encouraging mergers to increase their staff and dollar resources. One regional planner for an independent RPU stated that his board was well established and did not want to lose its autonomy and control over staff. A merger may be more difficult to effect in an area where the RPU has developed strong, effective working relationships with its member jurisdictions.

The position of the commission has been to require a memorandum of agreement between LROs and RPUs consistent with LEAA FY 1976 state plan guidelines. The League of Municipalities is encouraging local governments to view the memorandum of agreement as a mechanism for eventual consolidation of the criminal justice regional planning unit and the LRO. Furthermore, at its meeting of Sept. 26, 1975, the commission adopted the following policy: "Regional planning units are to be incorporated into and become a functional part of the Lead Regional Organization in each of the State's 17 Planning Regions." The LEAA regional office placed a special condition on the FY 1976 planning grant requiring that merger be accomplished by Dec. 31, 1975, in order to insure compliance with Section 203a of the Safe Streets Act, relating to the composition 435
of regional policy boards, within a reasonable period of time.

SAFE STREETS PLANNING

The Safe Streets program has been the first attempt in North Carolina to conduct system-wide, comprehensive criminal justice planning. As did many other states, North Carolina found that the task of comprehensive planning was at best complex and beset by myriad problems, including: inadequate data on both crime and the criminal justice system, lack of knowledge about planning methodologies and techniques, too little time allowed for plan preparation and late arrival of federal guidelines, and insufficient staff time for planning due to emphasis on award and expenditure of action funds.

The commission has implemented a variety of planning approaches since 1969, each of which has affected the relationships between the commission and the RPUs and local units of government. Three basic conceptual approaches have been used over the six-year life of the program: pre-applications, master plans, and standards and goals.

From FY 1969 through FY 1973, the planning process was based on the submission of pre-applications from prospective grantee agencies. Each pre-application included a brief description of the objectives and methods of the proposed project and an estimate of the total cost. Based on the pre-applications submitted, the commission allocated funds to the broad functional categories in the state plan.

There were a number of difficulties with this approach. First, according to one regional planner, most local pre-applications were developed by regional staffs without adequate input from county or city government. In a number of instances, the pre-applications did not reflect the priorities of these jurisdictions for Safe Streets funds. Consequently, there was a disparity between activities that were planned by local officials and activities for which applications were actually submitted by the region. Secondly, the Law and Order Section found that the volume of pre-applications increased so rapidly that by FY 1973, responsible review and selection of projects was extremely difficult. Thirdly, and most importantly, the Law and Order Section staff and the commission frequently questioned the impact of a planning process lacking overall goals and priorities. 436

To resolve these problems, the KCC decided that it should begin to determine statewide needs and priorities and allocate funds accordingly, instead of deciding awards on the basis of pre-applications. In the FY 1973 state plan, the commission based its annual action program on pre-applications, but at the same time developed a multiyear plan incorporating priorities adopted after four months of consideration by the Special Subcommittee on Priorities and subsequently by the full commission.

In May 1973, the LEAA Atlanta Regional Office approved the FY 1973 plan subject to a number of special conditions. LEAA required that the commission prepare, and submit for LEAA approval, master plans for the following specific areas of the state's criminal justice system: manpower development, training and education; the judicial system; adult corrections; and juvenile justice. The LEAA regional office viewed the special conditions as effective means for spurring an improved comprehensive planning effort by North Carolina without having to withhold the award of block grant funds. The commission regarded the master plans requirement as being necessary to insure the implementation of established priorities and consistent with their own perceptions of deficiencies in the plan development process.

During the FY 1974 planning effort, the commission established a series of special advisory committees for developing master plans in various functional areas. The FY 1974 state plan was a compilation of these master plans, each consistent with the format required by the LEAA planning guidelines.

The FY 1975 planning process responded to LEAA's criticisms—poor integration and lack of a system-wide perspective—of the 1974 state plan. In FY 1975, the commission adopted a modular format designed to facilitate comprehensive, system-wide planning and subdivided the plan into three levels: (1) criminal justice system component (pre-adjudication, adjudication, post-adjudication, juvenile justice, and information systems); (2) functional category; and (3) level of attention (state, county, city, non-governmental, and high-crime).

The commission used the 10 categories suggested by LEAA for the functional categories of the FY 1975 state plan: diversion; personnel development; research and information system; prevention; adjudication; non-institutional rehabilitation; institutional rehabilitation; planning and evaluation; detection, deterrence and apprehension; legislation. The commission then identified, by component and by functional category, 35 general programs, and within each program, one or more specific project types. For example, under the component pre-adjudication, one functional category was prevention. A program within this category was crime prevention; a project type, property crime prevention unit. Funds were allocated to programs, not projects. For some program areas the state plan identified specific projects and grantee agencies to be funded. This was generally more true of state agency projects than local projects, since the commission usually had a closer working relationship with state agencies, was more aware of their anticipated funding requests, and accepted their assessments of their own needs and priorities. In other program areas, generally those dealing with local projects, funds were allocated for specific categories, but not earmarked for particular projects. In the FY 1975 state plan, the committee made a concerted attempt to develop more precise statements of project objectives and evaluation criteria than had been done previously.

The FY 1975 state plan was comprehensive to the extent that it contained much descriptive and analytical information and addressed all functional components of the criminal justice system. Part C funds were allocated as follows: 10 percent for courts (adjudication, including prosecution and defense); 47 percent for law enforcement (pre-adjudication); seven percent for corrections (post-adjudication); 30 percent for juvenile justice; and six percent for information systems. Interview results did not indicate that recipients in any of the major functional areas (including courts) thought that their area had received less than its fair share in the plan. Some local and regional officials, however, indicated that the emphasis on specialized units in the FY 1975 state plan effectively precluded many small law enforcement agencies from receiving funds.

The Safe Streets Act requires that states maintain the level of Part C funding for correctional activities in order to receive Part E funds. LEAA guidelines interpret this provision to mean a maintenance of effort based on the percentage of the state's FY 1971 allocation to corrections. This guarantees a minimum percentage of each fiscal year's Part C award to corrections and thereby limits the states' discretion in distributing funds among functional components. North Carolina must allocate 25 percent of its Part C funds to corrections in order to receive Part E monies. In FY 1975, the state received $1,397,000 under Part E and awarded most of this amount ($1,364,000) to the State Department of Corrections.

Several of the state officials and regional planners interviewed cited the limitations and arbitrariness of the Part E requirement. To some, it negated the concept of state priorities by restricting the commission's ability to allocate substantial sums to functional areas of greater concern than corrections. One regional planner thought that the need to spend a minimum amount on corrections had encouraged the funding of projects inferior to those in other functional areas, some of which had greater potential for impacting on the system as a whole. Governor Holshouser, however, voiced strong support for the Part E provision. In his view, it had been difficult to get public support of funding for correctional programs, even though the state's facilities and services were badly in need of updating.

In an effort to assure adequate assistance for high-crime areas, the 1975 state plan set aside a specific amount for the two localities that met LEAA's definition of a high-crime area. A minimum amount of funding, proportionate to their percentage of state population was allocated to Charlotte and Greensboro. This amount had to be divided between state and local services. Each city was required to submit a plan specifying the projects it would implement to expend its portion of the allocation. In FY 1975, these two high-crime cities directly received approximately four percent of the total Part C award. The "high crime" allocation does not preclude the cities' requesting funds for projects under the state plan for which they are eligible.

One local official regarded the commission's allocation of funds to high crime areas as a "token effort." Yet, generally the City of Charlotte seemed to feel that it was receiving its "fair share" of block grants. It may be true there is simply no consensus as to what a "fair share" is for a given locality.

The FY 1975 state plan achieved functional balance and addressed the needs of high crime areas, but it did not present overall goals for the state's criminal justice system, nor did it reflect other resources – Federal, state, or local – available for pursuing those goals. The plan provided direction only for activities supported by Safe Streets funds.

A major controversy arose in North Carolina over the lack of regional and local participation in the FY 1975 planning process. Interviewees agreed that the opportunity for regional and local input to the state plan was extremely limited and unsatisfactory. Regional involvement consisted of little more than a briefing of the RPU and the Law and Order Section's planning staff, convened on short notice. Generally, allocation decisions were made by the chairmen of the special advisory committees.

The Law and Order staff acknowledged that the FY 1975 planning process was deficient. The staff said that time constraints imposed by the LEAA regional office to submit the state plan by December 1974 (several months earlier than originally scheduled) did not allow for more effective planning methods than those used.

Several regional and local officials interviewed said that the commission developed overly restrictive program categories in the FY 1975 state plan, the effect of which was to virtually eliminate a number of smaller jurisdictions from participating in the program, because their needs did not fall within the plan categories. One rural sheriff said, "Don't talk to me about 'block grants.' You know by the time it gets to me, it's not a 'block grant.'"

Responses to an ACIR questionnaire,* mailed to all cities and counties of more than 10,000 persons, supported this view. Of the 56 (45 percent) North Carolina localities responding, 27 said that the state plan incorporated the needs and priorities of their jurisdiction to "very little" extent. One replied, "not at all." Twenty-eight indicated that the state plan adequately reflected their needs. None said that it incorporated their needs "significantly."

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*In June 1975, ACIR mailed a questionnaire to the chief executive officer of all municipalities and counties of 10,000 or more population in order to determine their attitudes concerning the operation of the Safe Streets program. By October, responses had been received from 68 percent of the municipalities and 35 percent of the counties in North Carolina. Since not all localities answered every question, the response rate cited in the case study will vary. (See Appendix 2, p. 451.)

Law and Order staff think that a basic cause of the dissatisfaction with the FY 1975 state plan was the commission's decision to limit the funds allocated for additional law enforcement personnel projects to continuation of on-going programs. The decision was in keeping with the commission's view that Safe Streets dollars should not be used primarily to supplement local resources, but rather to stimulate new programs and innovative activity.

It appears that much of the impetus to change the commission's make-up and to increase local general 438 government representation was the direct result of regional and local reaction to the FY 1975 planning process. Therefore, in developing the FY 1976 plan, the commission used the same general approach as in 1975, with added emphasis on the solicitation of local and regional input and the development and integration of standards and goals. The Law and Order staff prepared state and local input forms requesting information regarding problems, program needs, and projected costs for activities eligible for Safe Streets monies. Local chief executives and legislative officials had to certify submissions from their jurisdictions. Each RPU was asked to develop a one-year projection of criminal justice problems, program needs and priorities based upon the local submissions, identify major problems and goals for the region, list continuation funding needs and new project requests, and delineate regional priorities as established by their respective policy boards.

The special advisory committees will review all regional and state plan submissions within their respective functional areas in order to relate them to the priorities for goals and standards that the commission is developing.* Goals and standards are being developed along with the state plan to be incorporated as a part of the multiyear section. Each advisory committee will identify the programs it recommends for funding and the amounts involved. The chairmen of the six committees will form an executive committee to review these recommendations and to make reductions, if necessary, to reflect available Safe Streets block grants. These recommendations will be acted on by the full commission.

It appears that with the FY 1976 state plan the commission is attempting to systematize local and regional participation in the planning process and at the same time to meet the new time deadlines established by LEAA. Some local and regional officials remain highly skeptical of the state's efforts. They still believe that they have no meaningful role in development of the state plan, that opportunities for involvement have been few, and that material submitted has been ignored. They view the state plan as still largely unresponsive to local needs. One regional planner said that local governments were now so "turned off" by the process and tired of being asked for input that has no effect, that even getting them to fill out the planning forms for FY 1976 would require a "selling job."

Overall, the FY 1976 planning process seems to be encouraging increased regional and local participation. It is impossible to assess at this time how effectively the planning process will be implemented. Implementation is largely dependent on the cooperation of local, regional, and state officials and, in particular, on the capability of regional criminal justice planners.

The state plan outlines a major priority-setting role for the commission, yet recent state legislation calls for a newly constituted commission in the middle of the planning process. As a result, the special advisory committees probably will have to assume more active roles than anticipated.

Planning Capacity

In FY 1976, North Carolina received $1,700,000 in Part B planning funds, matched by $110,598 state general fund monies and $834 local monies, for a total planning budget of $1,811,432.*

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* Beginning in 1974, the governor's commission embarked on an ambitious project to assess and adopt goals and standards for the state's criminal justice system. Supported by a discretionary grant from LEAA, the project has entailed an extensive review of standards developed by various national organizations, an analysis of problems and needs, and the development of goals and standards appropriate for North Carolina. Local and citizen input has been obtained through direct mailings and a series of three public hearings.

* Due to the changes in the Federal fiscal year, these figures represent 15- rather than 12- month allocations.

Of the $1.7 million, $712,118 was allocated to the 17 regional planning units and to the City of Charlotte, the largest city in the state and the only local government receiving direct planning assistance. While the total amount of Part B funds passed through by the state to the regional and local levels has increased ($100,000 more in FY 1976 than in FY 1975), the percentage of funds thus passed through has decreased (48 percent in FY 1975 and 42 percent in FY 1976).

FY 1976 planning funds were distributed on the following basis: $15,000 was allocated to each RPU; the remainder of the required 40 percent pass-through was distributed on the basis of population. Any planning funds not utilized by the State will be awarded at the discretion of the commission to RPUs most in need.

Of the three regional planning directors interviewed, two stated that the current Part B allocation passed through to their regions was inadequate. (All three concurred that more resources were needed for planning.) Results from the ACIR survey of regions supported this contention.* The 16 RPUs that replied said that Part B funds are inadequate for carrying out their assigned responsibilities; 13 stated that the regions should receive more than the 40 percent pass-through of Part B funds mandated by the Act.

The Law and Order administrator said that the 60-40 pass-through formula for Part B funds represents an appropriate division of resources between the state and the RPUs. However, he also said that planning funds are inadequate at the regional level, given the many roles and responsibilities assigned to RPUs. He indicated that if RPU personnel functioned as planners rather than as grants managers the present level of support would be sufficient. In the administrator's opinion, Part B funds were inadequate at the state level as well, but this difficulty could be resolved by improved organization, a more qualified staff and more efficient administration.

All three regional planning directors interviewed thought their staff had sufficient skill but insufficient time for planning. The Law and Order Section, on the other hand, regarded the planning capacity at the regional level as inadequate and cited both the staffs' lack of planning skills and local officials' lack of interest. It seems unlikely that one- to three-person staffs would be able to do comprehensive criminal justice planning for large, multi-county regions, particularly when they have other responsibilities; but it may be true that some regional planners are not highly skilled enough for such planning. In addition, it is probable that local officials, although not opposed to planning, place considerable emphasis on the regional planner's role as "grantsman." To a large extent, the regional planner establishes his credibility with local governments by successful manipulation of the grant-in-aid process.

In North Carolina, a major planning-funds issue was the decision by the Law and Order Section to stop funding the RPUs' project analysts. These positions, supported with Part C monies, were intended to provide quarterly monitoring information as part of the state's overall monitoring and evaluation system. In practice, the project analyst spent a significant portion of his time assisting in the grant management, technical assistance, and planning activities of his RPU. The ruling of the LEAA Office of the General Counsel on the use of Part C funds for evaluation and the LEAA definitions of monitoring and evaluation prompted the Law and Order Section to decide that the project analyst position could not continue to be supported out of the Part C award. No additional Part B funds were available. The Law and Order staff also questioned the objectivity of the reports generated by analysts not directly accountable to state management. However, the regional planning directors interviewed, both of whom had had analysts on their staff, thought the elimination of the position severely hindered their ability to carry out adequately their planning and management responsibilities.

Eight of the 25 full-time professional staff at the state level are planners. Seven associates specializing in criminal justice functional areas assist the planning director. The director also heads the standards and goals project, which is separately staffed under a LEAA discretionary grant to the commission. Members of the state planning staff, like the regional planning directors, said their major needs were more time and resources. They stressed the difficulties brought about as a result of changed LEAA guidelines that were not issued until after the planning process for the next fiscal year had been initiated. The need for more lead time in meeting guideline requirements seemed to be a common concern of state staff.

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*In June 1975, ACIR mailed a questionnaire to all criminal justice regional planning units in the country. By October responses had been received from 16 of the 17 North Carolina RPUs, a response rate of 95 percent.

SAFE STREETS FUNDING

Safe Streets block grant awards (Part C and E) to North Carolina increased from $619,000 in FY 1969 to $13,263,000 in FY 1975 and currently account for five percent of the state's total criminal justice expenditures (see Table 3). In the opinion of the Law and Order administrator, rapid increases in funding in the early years of the program (between FY 1969 and FY 1973, Part C block grants awarded to the state increased by more than 2,000 percent) prevented effective planning for their distribution. By FY 1974, when the amount of funding had leveled off, the state had routinized its grant administration procedures.

The commission annually awards about 360 grants to state and local government units and to private nonprofit agencies. These grants, usually for a 12-month period, support a variety of crime reduction and system improvement projects. 440

Distribution and Use of Action Funds

In order to determine the nature of activities supported by Safe Streets funds in North Carolina, the Advisory Commission on Intergovernmental Relations' (ACIR) field team reviewed a sample of grants awarded by the commission. The sample was selected by choosing every fourth grant awarded in calendar year 1974, regardless of the fiscal year of the funds used to carry out the activity.* The sample includes grants awarded from FY 1972, FY 1973 and FY 1974 monies.

Table 4 indicates the distribution of funds by type of recipient. State agencies received 14 percent of the grants and 50 percent of the Safe Streets funds included in the sample, a finding consistent with the state's dominant role in financing and delivering criminal justice services. However, it should be noted that $718,492, 37 percent of the funds allocated to the state, was used for a law enforcement training academy serving both state and local officers. It appears that in North Carolina, as in other case study states, a substantial portion of the state agencies' share of funds supports activities that also benefit local jurisdictions. State agency projects tend to be fewer in number but higher in average dollar value than local projects.

Awards to cities and counties accounted for 64 percent of the grants and 34 percent of the funds. Twenty-two percent of the grants and 16 percent of the funds were awarded to RPUs for administration of local projects. All grants are now awarded directly to the unit of local government involved, (see Table 4).

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*For a complete description of the methodology used in the grant sample analysis see Chapter VIII.

Table 3

Safe Streets Funding to North Carolina
FY 1969-1975

Fiscal Year	Part B	Part C	Part E	Total
1969	$ 439,000	$ 619,000	$ -0-	$ 1,058,000
1970	492,000	4,625,000	-0-	5,117,000
1971	601,000	8,305,000	617,000	9,523,000
1972	828,000	10,203,000	1,202,000	12,233,000
1973	1,162,000	11,842,000	1,393,000	14,397,000
1974	1,162,000	11,842,000	1,393,000	14,397,000
1975	1,288,000	11,866,000	1,397,000	14,551,000

Source: LEAA Grants Management Information System (GMIS) data.

Table 4

Recipients of Action Funds
1974 Grant Sample

Recipient	Number of Grants	Percent of Grants	Amount of Funds	Percent of Funds	Amount of Average Grant
State	12	14	$1,911,077	50	$159,256
County	22	26	589,513	15	26,796
City	32	38	708,194	19	22,131
Other	19	22	606,555	16	31,924
TOTAL	85		$3,818,344		

Under the variable pass-through provision of the Safe Streets Act, North Carolina is required to make available to localities the percentage of the total Part C funds equal to their proportion of outlays for criminal justice programs—about 46 percent. (Part E funds are not covered by the variable pass-through and, as noted earlier, are generally awarded to state agencies, which have almost total corrections responsibility.) Although the FY 1975 state plan indicated that the state planned to allocate 54 percent of its Part C funds to local programs (exceeding the required pass-through of 46 percent), interviews and questionnaire responses reflected dissatisfaction at the regional and local levels with the amount of action funding made available. Forty-six of the 56 cities and counties replying to the ACIR survey said that the portion of funds passed through by the state was not equitable and did not reflect a proper balance between state and local needs. All 46 respondents thought more funds should be made available to localities.

In an attempt to determine the types of activities supported with Safe Streets funds, the ACIR field team, in consultation with the Law and Order staff, classified each grant in the sample into one of the five general activity categories shown in Table 5.

North Carolina allocated a higher percentage (37 percent) of its funds to service activities than to any other category, although this percentage is less than that of most of the case study states. The state commits substantially more funds to training activities (35 percent) and to personnel (11 percent) than most of the other states studied. Emphasis on training and additional personnel may reflect the state's attempt to improve inadequate part-time police coverage in many of its rural areas. It should be noted that the unusually large percentage of funds awarded for training results from the inclusion of a major grant to operate the law enforcement training academy in the sample.

No grants for construction appeared in the sample. Both the commission's reluctance to commit

Table 5

Primary Activities Supported with Action Funds
1974 Grant Sample

Primary Activity	Number of Grants	Percent of Grants	Amount of Funds	Percent of Funds
Equipment	13	15	$608,547	16
Construction	0	0	0	
Services	34	40	1,439,705	37
Training	14	17	1,341,793	35
Personnel	24	28	428,299	11

Table 6

Distribution of Action Funds by Functional Component
1974 Grant Sample

Functional Component	Number of Grants	Percent of Grants	Amount of Funds	Percent of Funds
Police	69	81	$1,810,070	47
Courts	3	4	112,074	3
Corrections	5	6	928,450	24
Juvenile Delinquency	4	5	181,286	5
Drugs and Alcohol	3	4	67,972	2
Combinations	1	1	718,492	19
TOTAL	85		$3,818,344	

large amounts of funds to projects of this type and 442 the reluctance of potential applicants to supply the required 50 percent matching contribution could account for this finding. However, a $1,000,000 project to construct a state criminal justice education and training facility was not included in the sample.

To determine the distribution of Safe Streets funds by criminal justice functional component, the ACIR field team, with the help of the Law and Order staff, classified the grants in the sample according to the categories listed in Table 6.

Like most case study states, North Carolina awarded by far the largest percentage of its Part C block funds to police departments—47 percent of the funds and 81 percent of the grants, according to the sample. Approximately one-fourth of the amount ($466,408) supported communications and information systems projects in the law enforcement area.

In keeping with the Part E requirement, corrections activities received 24 percent of the funds in the sample, 6 percent of the number of grants. Relatively small amounts were awarded to courts, juvenile delinquency, and drug and alcohol projects. These functional areas collectively received only 10 percent of the action funds, a surprisingly low figure in comparison with the other case study states, but one that might reflect the randomness of the sample. According to the Law and Order administrator, allocations to courts are less than those to police and corrections primarily because North Carolina's unified court system is well-financed and able to obtain funds from the general assembly for new programs. The administrator noted two factors contributing to the small percentage of funds used for drug and alcohol programs: the lack of successful rehabilitation efforts in this area and the availability of grants from other Federal agencies for drug- and alcohol-related activities. Few North Carolina localities requested funds for drug or alcohol rehabilitation programs.

The Law and Order administrator took issue with the grant sample findings on allocations to juvenile delinquency projects. He said that juvenile justice is a high priority of the commission; $3,800,000 of the total block award in the state plans for FY 1975 and FY 1976 was set aside for activities in this category.

An award to support the North Carolina Criminal Justice Education and Training Academy (designed to offer training for personnel in all components of the criminal justice system) was identified as the only major combination grant in the sample.

In order to verify the findings of the grant sample on the functional distribution of Safe Streets funds, the field team also used data obtained from LEAA's Grants Management Information System (GMIS).*

Although GMIS data are based on fiscal-year funds rather than calendar-year awards, and although its method of categorization differs from that used by ACIR in the grant sample, there is

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*For a discussion of the limitations and uses of the GMIS data, see Chapter V.

Table 7

Distribution of Part C and E Block Funds in North Carolina by Functional Component FY 1969-1975

Fiscal Year	Subgrant	Police				Courts				Corrections				Combinations				Non C-J Agencies			
		No.	%	$ Amount	%	No.	%	$ Amount	%	No.	%	$ Amount	%	No.	%	$ Amount	%	No.	%	$ Amount	%
1969	Part C	42	76	372,525	67	3	5	60,131	10	5	9	76,770	13	3	5	29,971	5	2	3	9,400	1
	Part E	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
	Total	42	76	372,525	67	3	5	60,131	10	5	9	76,770	13	3	5	29,971	5	2	3	9,400	1
1970	Part C	167	76	3,554,137	73	10	4	191,095	3	21	9	709,977	14	9	4	123,810	2	12	5	226,959	4
	Part E	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
	Total	167	76	3,554,137	73	10	4	191,095	3	21	9	709,977	14	9	4	123,810	2	12	5	226,959	4
1971	Part C	254	71	5,167,492	53	18	5	765,472	7	45	12	2,517,327	25	20	5	626,232	6	20	5	662,931	6
	Part E	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
	Total	254	71	5,167,492	53	18	5	765,472	7	45	12	2,517,327	25	20	5	626,232	6	20	5	662,931	6
1972	Part C	250	72	6,793,445	71	18	5	497,593	5	43	12	1,527,312	16	8	2	292,433	3	25	7	366,250	3
	Part E	0	0	0	0	0	0	0	0	7	100	932,271	100	0	0	0	0	0	0	0	0
	Total	250	71	6,793,445	65	18	5	497,593	4	50	14	2,459,583	23	8	2	292,433	2	25	7	366,250	3
1973	Part C	243	75	6,548,261	62	14	4	693,437	6	26	8	1,796,275	17	11	3	406,480	3	27	8	1,070,433	10
	Part E	0	0	0	0	0	0	0	0	2	100	904,656	100	0	0	0	0	0	0	0	0
	Total	243	75	6,548,261	57	14	4	693,437	6	28	8	2,700,931	23	11	3	406,480	3	27	8	1,070,433	9
1974	Part C	211	79	4,115,892	47	17	6	1,034,429	11	12	4	796,197	9	17	6	2,383,954	27	7	2	351,725	4
	Part E	0	0	0	0	0	0	0	0	6	100	761,732	100	0	0	0	0	0	0	0	0
	Total	211	78	4,115,892	43	17	6	1,034,429	10	18	6	1,557,929	16	17	6	2,383,954	25	7	2	351,725	3
1975	Part C	49	84	946,948	48	5	8	523,319	26	4	6	492,118	25	0	0	0	0	0	0	0	0
	Part E	0	0	0	0	0	0	0	0	2	100	504,647	100	0	0	0	0	0	0	0	0
	Total	49	81	946,948	38	5	8	523,319	21	6	10	996,765	40	0	0	0	0	0	0	0	0
1969-1975	Part C	1,216	75	27,498,700	60	85	5	3,765,476	8	156	9	7,915,976	17	68	4	3,862,880	8	93	5	2,687,698	5
	Part E	0	0	0	0	0	0	0	0	17	100	3,103,306	100	0	0	0	0	0	0	0	0
	Total	1,216	74	27,498,700	56	85	5	3,765,476	7	173	10	11,019,282	22	68	4	3,862,880	7	93	5	2,687,698	5

Source: GMIS data.

some correlation between the two. The GMIS data in Table 7 support the notion that police have received the "lion's share of the pie" – 60 percent of the total Part C awards for FY 1969-1975 went to police. However, the percentage allocated to this category has declined significantly, from a high of 73 percent in FY 1970 to 47 percent in FY 1974. (Since the data in Table 7 are dated August 1975, in GMIS, FY 1975 awards as of this date are only a small percentage of the state's total block funds for FY 1975.)

To determine the extent to which Safe Streets funds are used to support new and innovative projects as opposed to routine activities, the field team asked the Law and Order staff to classify the grants in the sample according to two additional sets of categories. The first set, shown in Table 8, reflects the degree to which the activities had been attempted at the state or local level prior to Safe Streets
444 funding.

Forty-two percent of the funds was used to support activities not previously attempted in the state, and 30 percent funded projects that had not been tried by the recipient local jurisdiction. Twenty-eight percent of the funds supported activities that had been attempted previously, such as hiring additional law enforcement personnel.

The second set of categories used to assess the innovative nature of Safe Streets funded projects is shown in Table 9.

The majority of the funds was used to support new activities (59 percent); a relatively small amount (11 percent) was directed to routine activities. Almost all "expansion" grants were for training purposes. "Update" grants generally represented equipment improvements, particularly in the area of communications. "Routine" activities generally were additions of personnel, chiefly in the area of law enforcement.

The grant sample shows that most of North Carolina's Part C block funds were awarded to projects that were "new" to the state or had never been attempted within the recipient jurisdiction. The sample, however, did not take into account the national state-of-the-art in criminal justice programs.

Based on the sample, it appears that North Carolina allocated a larger percentage of its Part C block funds to police and to training and personnel activities than most other states studied. North Carolina also awarded more funds to state agencies, compared with the other case study states, a finding consistent with the state's dominant role in financing criminal justice services.

Grant Administration

The Law and Order Section appears to have developed fairly effective procedures for administering action grants, although delays at the state level in processing applications and obtaining grant modifications have occurred. Sixteen of the 26 municipalities and 10 of the 30 counties that responded to the ACIR questionnaire indicated that they had experienced delays in the grant process. Factors cited

Table 8

Prior Attempts of Activity
1974 Grant Sample

	Number of Grants	Percent of Grants	Amount of Funds	Percent of Funds
Never attempted anywhere	0	0	0	0
Never attempted in state	11	13	1,622,345	42
Never attempted in locality	39	46	1,156,888	30
Has been attempted in locality	35	41	1,039,111	28
TOTAL	85		$3,818,344	

Table 9

Degree of Innovation
1974 Grant Sample

Degree of Innovation	Number of Grants	Percent of Grants	Amount of Funds	Percent of Funds
New	46	54	2,242,507	59
Expansion	7	8	717,704	19
Update	7	8	425,791	11
Routine	25	30	432,342	11
TOTAL	85		$3,818,344	

as contributing to the delays include conflicting guidelines, changes in Law and Order personnel, confusion regarding administrative regulations, the need for LEAA regional office approval of program adjustments and infrequency of commission meetings (the commission meets quarterly). According to the Law and Order staff, the commission acts on all grants within 90 days of the time the staff judges an application complete.

The commission recently delegated to the Law and Order administrator authority to approve all applications under $10,000 and, with the concurrence of the appropriate committee chairman, those between $10,000 and $50,000. The administrator indicated that he believes the commission should make these decisions; the interviews revealed that most local, regional and state-level officials (including some members of the commission) think that this authority will accelerate the grants award process and re-orient the commission to a broader policy-making role.

Before FY 1974, all action grant awards were made to the regional planning units, which subgranted funds to local units of government. Fiscal control and accounting procedures were the responsibility of the region. Beginning with the award of FY 1974 funds, the commission made direct grants to local governments, eliminating regions' funding and administrative roles.

Some regional planners opposed direct grants by the commission. They maintained that small, rural jurisdictions have come to rely heavily on the RPU's administrative support and lack the time and manpower to deal with the administrative complexities of the Safe Streets program. The Law and Order administrator, on the other hand, said that direct grants to localities will avoid needless duplication of effort, increase local government responsibility and redirect the efforts of regional staff to more appropriate areas of activity, such as project development, monitoring, technical assistance and planning.

The decision to make direct grants to localities was strongly supported by the findings of an outside management consulting firm that " . . . the method of direct reimbursement to the subgrantees would permit closer State Planning Agency contact with the subgrantee and promote better monitoring of subgrantee reporting. It would also eliminate the problems which may be encountered due to the lack of uniformity displayed by the regions in reimbursing subgrantees."[5] Interviews with local officials yielded no evidence that direct grants pose a hardship; however, very small jurisdictions could experience difficulties with the direct grant procedures.

North Carolina has returned a portion of its block funds to the Federal government each year. In FY 1972 (the most recent fiscal year for which complete data was available), the Law and Order Section reverted approximately $275,000 in Part C funds and $304,000 in Part E funds, five percent of the total block award.

The Law and Order Section attributed its inability to fully expend funds to delays in application development by local and state agencies and to delays in the start-up of projects, once funded. The section acknowledged that much of the problem with unused funds can be traced to the lack of realistic input from local general government in the state plan. State plans were based primarily on regional or state perceptions of local needs; projects were then identified and funded, and in some instances, lacked any relationship to the needs perceived by the localities. Regardless of their worth, most of these projects were not implemented because there were no applicants for the available funds. The commission had to deviate from its original state plan in order to award the funds and had to request plan amendments from the LEAA regional office. According to the Law and Order administrator, the FY 1973 state plan had been amended 19 times as of June 1975.

North Carolina has not faced many problems with continuation funding. A large number of projects, particularly during the early years of the program, were one-time activities (the purchase of equipment, training). The commission has emphasized—for a number of years—the commitment of state and local governments eventually to assume project costs. The Law and Order administrator estimated that for FY 1971-1975 only 45 percent of the
446 funds supported continuation programs, and that with the overall cutback in block funds in FY 1976, the figure will increase to 50 percent.

The commission's assumption-of-cost policy calls for not more than two years of funding for state agency projects at a 90 percent Federal share and 10 percent state match, and not more than three years funding for local projects at a declining ratio of 90 percent Federal, five percent state buy-in, five percent local match the first year; 65 percent Federal, 5 percent state buy-in, and 30 percent local match the second year; and, 25 percent Federal, 5 percent state buy-in, and 70 percent local match the third year. The rationale for adopting a different formula for state and local grants was to allow local units of government more time to absorb the impact of supporting projects. The policy can adjust to the biennium budget cycle of the state government and the annual budget cycle of local governments.

There is considerable difference of opinion about the assumption-of-cost issue. Attitudes expressed by interviewees included: the policy is too rigid; there should be no policy at all; there should be no distinction between state and local grants; the third-year Federal share is too small to affect a locality's decision about continuation of a project; the mechanics of applying the policy are too unwieldy for effective implementation.

Concensus opinion was that the commission has taken a very firm stand on assumption of cost and has adhered strictly to the policy, and that no "worthy" projects previously supported by Safe Streets funds had failed to obtain state or local government support. Interviewees indicated an increasing reluctance to initiate new projects with long-term implications because of the assumption obligation and the limitations of state and local budgets.

LEAA Discretionary Funds

According to the Law and Order administrator, LEAA discretionary funds awarded to North Carolina since FY 1969 were used primarily to support innovative projects in state agencies and major urban areas. There was no indication that discretionary funds were used for political purposes.

Examples of North Carolina projects supported by discretionary funds include: (1) the North Carolina Organized Crime Prevention Council; (2) the State Bureau of Investigation's Organized Crime Intelligence Unit; (3) the State Criminal Justice Training and Standards Council; (4) the SPA's standards and goals analysis and development; (5) the SPA's pilot evaluation system; (6) the Wilmington-New Hanover intra-agency drug squad; (7) decriminalization of public inebriates; (8) diversion investigative units; (9) the Mecklenburg criminal justice information system.

The City of Charlotte has been a major recipient of discretionary funds awarded to the state. Charlotte was designated one of eight Pilot Cities under an LEAA national emphasis project administered by the National Institute for Law Enforcement and Criminal Justice. According to a General Accounting Office (GAO) evaluation, the "Charlotte team withdrew in 1974 because of lack of adequate direction from LEAA and because the team did not anticipate sustained local interest in planning community-wide activities to solve criminal justice problems."[6]

LEAA Regional Office

The Law and Order Section is pleased with its relationship with the LEAA regional office. Both the section administrator and the current LEAA state representative agree that the latter should provide technical assistance and expedite requests. The administrator characterized the regional office as both helpful and responsive. Other staff members indicated that the regional office had provided useful assistance, particularly in the areas of planning and evaluation, but that this assistance had been limited by the lack of manpower in the regional office.

The regional office frequently has placed special conditions on the approval of state plans in order to spur improved planning without delaying the award of block funds. Generally, the Law and Order staff and the commission have not considered these special conditions to be unfair or unduly burdensome.

Some interviewees expressed dissatisfaction with what they viewed as the LEAA regional office's lack of responsiveness to their questions about the administration of the Safe Streets program in North Carolina. They said the regional office should be more assertive. However, the regional office carefully channels all communications through the commission and the Law and Order Section, so as not to interfere in issues that are essentially intrastate.

IMPACT OF THE SAFE STREETS ACT

Since the inception of the Safe Streets programs in 1969, total reported index crime in North Carolina has increased by approximately 45 percent. Although most interviewees speculated that crime probably would have increased even more rapidly without the program, the consensus of opinion was that there was simply no available evidence on which to base an assessment of its impact. Most thought it was unfair and unrealistic to judge the Safe Streets Act in terms of crime reduction, because too many factors outside the realm of the criminal justice system affected the crime rate. Cities and counties responding to the ACIR questionnaire answered as follows when asked whether or not the crime rate would have been greater in their jurisdiction without the program: 11 said "substantially greater;" 20, "moderately greater;" 20, "slightly greater;" and three, "no greater."

The Law and Order administrator suggested that systems improvement and crime reduction were not compatible objectives: "Police, courts, and corrections can contribute to reduction of crime, but their responsibility by tradition is to deal with the problem after it becomes a crime statistic . . . Evaluation of the LEAA program by numbers of crimes reported is absolutely without proper foundation. The major thrust of the program needs to be directed toward the discipline of criminological theory. The system can contribute to this effort by supplying much of the needed data, but there must be a recognition that crime is a social problem of deviance, not just a police, courts, and corrections problem."

A number of interviewees attributed some credit for various improvements within the agencies of the criminal justice system to the additional resources provided by the Safe Streets Act. Examples of major system improvements include: (1) the establishment of a centralized, comprehensive criminal justice training academy; (2) the implementation of an integrated, statewide communications system for law enforcement agencies; and (3) the establishment of the Police Information Network (PIN), which provides information on stolen property and vehicles and wanted and missing persons and operates in conjunction with the National Crime Information Center (NCIC). All criminal justice agency officials interviewed felt that Safe Streets funds had enabled them to improve or expand their operational capacity. Few identified specific ways in which the program had promoted a more coordinated approach to criminal justice problems, but most thought that the program had improved coordination by providing a forum for the various functional agencies to meet and exchange information. 447

The commission, the Law and Order Section and the RPUs have not yet established credibility in terms of system-wide planning and evaluation capability. It is unlikely that either would continue to exist if Safe Streets funds were no longer available. Presently, the Safe Streets program is seen primarily as a source of funds; the bulk of staff activity is oriented toward efficient administration of awards and expenditure of funds. Similarly, the RPUs focus activity on the grants process.

The Safe Streets program has had only limited success in providing greater flexibility and discretion to grant recipients. Some localities think that the block grant has operated like a categorical grant, because the commission has developed overly restrictive program categories, which have limited the types of activities eligible for funding. All local officials interviewed indicated that they would prefer a general revenue sharing approach to the distribution of funds because of its greater flexibility and discretion to recipients.

SUMMARY OF MAJOR ISSUES

Efforts at implementation of the Safe Streets Act in North Carolina encountered many of the major issues experienced in other states. A brief summary of the major issues follows.

1. **Supervisory Board representativeness.**

Over the past year, no other single issue appears to have created as much tension between the SPA and local units of government participating in the Safe Streets program as the question of equitable local representation on the commission. However, new legislation substantially increasing local government representation should largely resolve this issue and serve to improve the general climate and level of communications between the SPA and North Carolina's localities.

2. **Lack of consistent funding policies and management control.** Although the North Carolina SPA is presently in the process of adopting formal policies governing funding criteria and operating procedures, the lack of formally adopted and consistent policy in the past has apparently created situations in which individual staff members have exercised undue personal discretion and influence in funding decisions; the commission has had no clear direction or role; project applicants have been unsure about the criteria that govern its decision-making processes. Turnover of administrators and staff has exacerbated these problems; management of the program has been unstable and lacking in control. The record of instability is one of the major reasons why the governor had decided to take an active leadership role on the commission, and why, at his urging, the commission is now developing formal policies and procedures.
3. **Role of regional planning units.** Regional criminal justice planning units do not have clearly or uniformly understood roles and responsibilities. They have little, if any, real impact on the SPA's decision-making. Prior to FY 1976, they had little meaningful input into the state's planning process. It would appear that their primary role has been to assist localities, particularly smaller jurisdictions, with the administrative aspects of the grant process.
4. **Relationship of RPUs to other regional planning organizations.** At present, criminal justice regional planning units generally exist apart from the state's uniform, comprehensive regional planning organizations (lead regional organizations) which have basic responsibility for planning in a variety of other functional areas. Some persons see the RPUs and the LROs as duplication of effort and support merger. Opponents of merger view it as primarily a power play by the LROs and feel that the present structure is satisfactory since there is no assurance that placing the criminal justice planning within an umbrella organization promotes cross-functional linkages.
5. **Planning capability.** The planning capability of both the SPA and RPUs is limited, although considerable progress appears to have been made over the past year. Nevertheless, neither the SPA nor the RPUs have established significant credibility in terms of planning for the criminal justice system. While the current governor has played a key role in recent efforts to improve the SPA's planning and grant management procedures for Safe Streets monies, he views the program primarily as a source of Federal aid and has not broadened the agency's role to include system-wide comprehensive criminal justice planning and evaluation with respect to other state criminal justice resources. Through mid-1975 the SPA had failed to plan effectively for the efficient expenditure of Safe Streets dollars, as evidenced by the number of amendments required to the state plan. The SPA has been hampered in this regard by changing policy direction from LEAA, consistently late guidelines and unrealistic time frames.
6. **State role in planning.** Much of the conflict in the program in North Carolina seems to center on whether or not the state has a legitimate role in setting statewide goals and objectives that may restrict local flexibility in using grant funds. While regions and localities have objected to decisions made by the commission in this regard in the past, it may well be that as long as they are assured a

meaningful role in the decision-making process, their objections will be less vehement. Regions and localities seem to have viewed Safe Streets as a state program, controlled by state agencies for their own benefit.

7. **Communications.** Underlying almost all other issues is the problem of inadequate communications, particularly between the SPA and the regions and the localities. Unfortunately, it appears that much of the divisiveness is simply the result of problems of personal style rather than substance.

The Safe Streets block grant program in North Carolina demonstrates that in a rural state with a centralized justice system the impact of regional planning units on planning and funding decisions by the SPA tends to be minimal. The SPA has experienced problems in developing the capacity to perform statewide criminal justice planning and has not been recognized as an integral and permanent part of the state's criminal justice system.

FOOTNOTES

[1] U.S. Department of Justice and U.S. Department of Commerce, *Expenditure and Employment Data for the Criminal Justice System, 1972-73* (Washington, D.C.: Government Printing Office, 1975), p. 15.

[2] *Ibid.*, pp. 34-35.

[3] *Ibid.*, p. 168.

[4] *Ibid.*, p. 263.

[5] Arthur Young and Co., *Organization Study: North Carolina State Planning Agency*, in conjunction with the Law Enforcement Assistance Administration, n.d., p. 44.

[6] U.S. General Accounting Office, Comptroller General, *The Pilot Cities Program: Phaseout Needed to Limited National Benefits*, February 1975, p. i.

APPENDIX I

North Carolina Site Visits

The ACIR field team visited the Piedmont Triad Criminal Justice Planning Unit, the Lower Cape Fear Planning Unit, and the Triangle Commission on Criminal Justice. These regions encompass 33 percent of the state's total population and cover 21 counties. They include the major cities of Winston-Salem, Greensboro, Raleigh, Durham, and Wilmington, and represent a mix of predominately urban, high-income areas and rural, low-income areas.

Localities visited included: the City of Charlotte, the City of Kinston, and the County of Rockingham. Charlotte (pop. 295,000) is the state's largest city, has its highest number of reported index crimes (16,112), and is the only jurisdiction to receive direct planning funds from the SPA. 450 The City of Kinston (pop. 24,000) had an index crime rate of 1,005 in 1973. Charlotte is located in the southwestern, Piedmont section of the state; Kinston is located in the eastern coastal area; the County of Rockingham, a rural county in the northern Piedmont, has a population of 37,000 and a reported index crime rate of 510.

Interviews Conducted in North Carolina

State

Governor James C. Holshouser, Jr.

SPA Staff

Donald R. Nichols, Administrator
Cecil S. Hargett, Jr., Assistant Administrator
Richard Morgan, Regional Analyst
Gordon Smith, Planning Director
Connie Sharpe, Evaluation Chief
Wesley R. Herlein, Grants Management Director
J. C. Rudisill, Jr., Courts Planner
David Dorsett, Regional Analyst
Dwight Lamm, Regional Analyst
Susan Adams, State Analyst
Rick Briggs, Regional Analyst
Charles Twitty, Regional Analyst

State Agencies

Howard Kramer, Deputy Attorney General, Department of Justice
Bruce Nash, Director of Planning and Research, Department of Corrections
Bert Montague, Director, Administrative Office of the Courts
Ray Lichtner, State Budget Office
John Cooper, State Budget Office
John Carpenter, Federal Grants Manager, State Bureau of Investigation

LEAA Regional Office

William J. Hannon, Senior State Representative

Regional Planning Units

Edwin L. Griffin, Jr., Director, Triangle Commission on Criminal Justice
Mark Coombs, Director, Piedmont Triad Criminal Justice Planning Agency
Jerry Ramsey, Director, Lower Cape Fear Planning Unit
Sheriff H. G. Graham, Chairman, Lower Cape Fear Planning Unit Policy Board
Dennis Whitaker, Associate Planner, Central Piedmont Criminal Justice Planning Unit

Local Government Officials

John Belk, Mayor, Charlotte, North Carolina
Lt. Harley Smith, Police Department, Charlotte, North Carolina
Capt. Tom Keyser, Police Department, Charlotte, North Carolina
Sheriff Carl Axom, Rockingham County, North Carolina
Norma Banker, City Manager, Rockingham County, North Carolina
Lt. Tal Leach, Department of Public Safety, Winston-Salem, North Carolina
Patricia A. Johnson, Administrative Assistant, City Manager's Office, City of Kinston, North Carolina
Simon C. Sitterson, Jr., Mayor, City of Kinston, North Crolina

Other

John Morrisey, Executive Director, North Carolina Association of County Commissioners
Leigh Wilson, Executive Director, North Carolina League of Municipalities

APPENDIX 2

Responses to Local Questionnaires

North Carolina
1975

	Counties			Cities		
Population Group	**Number Surveyed**	**Responding No.**	**Responding %**	**Number Surveyed**	**Responding No.**	**Responding %**
Over 500,000	0	0		0	0	
250,000 - 500,000	2	2	100	0	0	
100,000 - 249,999	7	3	43	4	3	75
50,000 - 99,999	27	11	41	4	3	75
25,000 - 49,999	24	4	17	7	5	71
10,000 - 24,999	28	10	36	23	15	65
TOTAL	88	30	35	38	26	68

North Dakota

North Dakota is a sparsely populated, rural state with numerous small units of local government. In 1970, approximately 56 percent of the state's 617,761 residents lived on farms or in cities with populations under 2,500. One hundred fifty-nine of the 358 incorporated municipalities had fewer than 200 inhabitants, while 16 had more than 2,500 inhabitants and four had more than 25,000 inhabitants. North Dakota has 53 counties, only four of which have a population greater than 40,000.

According to the FBI's "Uniform Crime Reports," North Dakota had a crime rate of 2,078.4 in 1973. This crime rate was the third lowest in the nation for that year. Most crimes were minor offenses, such as disorderly conduct, vagrancy, traffic violations, and alcohol-related offenses.

With respect to the Safe Streets Act, North Dakota is a state with centralized planning and funding responsibilities. There has been relatively little gubernatorial involvement in the program, even though it was created by executive order. There has been substantial interaction between the state planning agency (SPA), other state agencies and the legislature on criminal justice matters.

THE CRIMINAL JUSTICE SYSTEM

The state's criminal justice responsibilities encompass the police, courts, and corrections. Policing is handled by the North Dakota Highway Patrol and is limited to traffic enforcement and security of state property and buildings. The Bureau of Criminal Investigation, a division of the attorney general's office, assists local and state law enforcement agencies in the investigation, identification and apprehension of criminals. The State Radio Department provides radio and teletype communications for state, county and city law enforcement agencies. The director of the State Radio Department is responsible to the director of institutions. Police services on North Dakota's four Indian reservations are furnished by the Bureau of Indian Affairs and by tribal police.

The court structure in North Dakota consists of the Supreme Court, district courts and related juvenile courts, county justice and increased jurisdictional courts, municipal courts and tribal courts. The chief justice of the Supreme Court serves as chairman of the Judicial Council, which is composed of 46 members. The Judicial Council gathers information relating to crime and criminal/civil litigation and makes recommendations to the governor, the legislature and the Supreme Court on matters of practice and procedure.

The attorney general, as principal law officer of the state, consults with and advises the 53 state's attorneys. However, only four counties have full-time state's attorneys. North Dakota's first public defender office, established in 1971, served a ten-county region and employed two full-time public defenders.

There is no department responsible for all state correctional services. The three state correctional institutions—the state penitentiary, the state farm, and the state industrial school—are within the jurisdiction of the director of institutions. The State Parole Department is administered by the Board of Pardons. The State Youth Authority is a subunit of the Department of Social Services and is a resource to the courts for custody of adjudicated juveniles. The State Youth Authority also provides diagnostic evaluations of juveniles entrusted to its care.

Local policing and correctional facilities are the responsibility of 53 county sheriffs, 170 full-time deputies, 230 full-time and 138 part-time municipal police officers. Approximately 1,050 peace officers are employed throughout the state, averaging one peace officer for every 595 residents. The average size of a local police department is two men. There are 89 local jails, one juvenile detention home and three group homes for juvenile delinquents.

The state accounted for 30 percent of the $17,671,000 in total direct expenditures for criminal justice in FY 1972-1973, while the county and municipal shares were 28 percent and 42 percent, respectively. The largest portion of local expenditures was for police protection. State outlays were largest in the corrections area.

Three significant changes have taken place in the North Dakota criminal justice system since 1969. Contract policing has been employed to consolidate many small community police departments and to assist local law enforcement agencies in providing efficient police services in both rural and impacted areas, some of which had no police protection in the past. Twenty-one counties are involved in contract policing. Any municipality with a population of less than 7,000 is eligible. The state criminal code has been revised. Crimes, such as public drunkenness, have been decriminalized. The Office of State Court Administrator has been established to assist the Supreme Court in administrative duties, such as gathering statistics and information concerning all the courts in the state.

THE STATE PLANNING AGENCY

The North Dakota Combined Law Enforcement Council (NDCLEC) was initially established in 1966 by the attorney general's office to set police standards and conduct training. In August 1968, under executive order of Governor William L. Guy, the NDCLEC became a division of the State Planning
454 Office and was authorized to plan for and distribute Safe Streets funds. The State Planning Office is the agency responsible for receiving and disbursing all Federal planning funds. This office also handles non-federally funded planning activities. The executive director of the NDCLEC reports directly to the director of the State Planning Office; however, this relationship seems to be mainly a formality. On a day-to-day basis, the executive director of the NDCLEC is responsible for federally assisted law enforcement planning.

As of May 1975, the NDCLEC staff consisted of nine professional staff members: an executive director; an assistant director; a financial officer; an auditor; an administrative assistant; and program heads covering the police, juvenile delinquency, corrections and courts areas. One of these program heads also serves as Indian services coordinator. Generally, the professional staff has been stable. The NDCLEC has had only three executive directors since 1969, with the second one holding the position for four years. This stability has helped NDCLEC maintain a consistent sense of direction and purpose.

The administration of the Safe Streets program is not the only function of the NDCLEC. The NDCLEC has received legislative authorization to certify police officers, conduct jail inspections, provide training for all law enforcement personnel in the state, collect criminal justice records and statistics, set jail standards, set selection standards for hiring police officers and make legislative recommendations on matters affecting law enforcement. At the time of the field work, a bill was pending in the legislature to provide $2 million in state aid to local criminal justice agencies to be disbursed by the NDCLEC.

Although the governor appoints the NDCLEC's executive director and supervisory board members, he has consistently played a very limited role in the Safe Streets program. The governor is not a council member, even in an ex officio capacity. He has made very few recommendations concerning particular projects seeking support from the NDCLEC, and those recommendations he has made usually have had little effect on funding decisions. Because of the governor's limited role, the NDCLEC has been able to assert its independence within the executive branch.

Safe Streets monies are channeled through the state legislature, which appropriates all Federal matching funds for state criminal justice agencies on a project-by-project basis. Funds for local agency projects are appropriated in a lump sum. In this way, the legislature has exerted strong control over the use of Safe Streets dollars at the state level. The legislature has sometimes been reluctant to provide matching funds to support state agency projects for fear of being locked into a project when Safe Streets aid terminates. In addition, because the legislature meets biennially, state agencies must plan for Safe Streets monies up to three years in advance of actually applying for them. According to the executive director, although this lead time may encourage long-term planning, it makes the funding of innovative programs that are conceived during this period more difficult.

A significant policy relationship also exists between the NDCLEC and the state legislature. For several years, the NDCLEC testified concerning proposed legislation affecting the criminal justice system; it now shares this responsibility with the crime commission and the legislative council. The NDCLEC has been successful in securing enactment of legislation it proposed to create a statewide communications and law enforcement teletype system, to conduct studies of the juvenile justice and prosecutorial functions, and to establish a statewide uniform records management system.

The NDCLEC is not involved in planning and budgeting for state criminal justice agency activities that are not supported by Safe Streets funds. It has exercised substantial influence in seeking state matching dollars for previously funded projects of these agencies and has assisted them in developing applications. Generally, a good working relationship has existed between state criminal justice agencies and the NDCLEC. However, there has been growing resentment on the part of the courts over the locus of funding decisions with regard to the judicial branch. Judges, court administrators, prosecutors and others attribute their relatively low Safe Streets funding level to inadequate representation on the NDCLEC. Citing the separation of powers doctrine, spokesmen for the courts assert that they should be allowed to plan for their own funds.

The NDCLEC consists of 31 members, 15 of whom hold their seats on the council by statute. The remainder are appointed by the governor. The legislature designated the attorney general as chairman of the council. Since 1969, there have been only two chairmen.

Table 1

Representation on NDCLEC by Functional Area and Type of Jurisdiction

October 1975

	Percent
Functional Area	
Police	35
Juvenile delinquency	25
Corrections	20
Prosecution and defense	15
Courts	5
Type of Jurisdiction	
State government	42
City government	19
County government	26
Indian reservations	3
Private citizens	10

Source: ACIR 1975 Safe Streets survey.

As can be seen from Table 1, the police is the most heavily represented function on the council, while the state accounts for the largest proportion of jurisdictional membership. No consensus exists about the extent to which the amount of representation influences the distribution of Safe Streets funds. There is also a difference of opinion about the equality of representation on the current council. It appears that the public, the courts and the Indians are underrepresented.* Some county and city elected officials and most local criminal justice interviewees thought that their interests were inadequately represented on the council, despite the fact that the governor canvassed the state for nominations to ensure broad representation. Yet, almost all county and city elected officials stated that they have received a fair share of Safe Streets funds. It was the opinion of the council staff that the police and state criminal justice agencies were overrepresented; the local elected and functional officials believed that the state agencies and the public were overrepresented.

The NDCLEC meets every two months and operates under approved bylaws. These bylaws seemed to be adhered to only informally.** As can be seen from Table 2, attendance at council meetings presently averages about 75 percent. Non-criminal justice state agency representatives such as those from the Department of Public Instruction and juvenile delinquency representatives, have the lowest rates of participation. The council has an executive committee, which supervises the Safe Streets program as well as makes decisions of an emergency nature. Five permanent planning and review committees*** take testimony, review grant applications, and make recommendations thereon to the full council.

The NDCLEC is primarily a funding agency rather than a planning agency. A great deal of manpower is devoted to administering grants, particularly for small equipment purchases and training. In part, this emphasis is due to the council's practice of awarding subgrants six times a year.

REGIONAL PLANNING UNITS

Regional planning units (RPUs) are part of a uniform statewide system of substate districts organized under Governor Guy's 1969 Executive Order No. 49. The eight resource, conservation, and

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*Only one judge (a district court judge) sits on the NDCLEC. However, the NDCLEC staff counts prosecuting attorneys and juvenile counselors as court representatives. There is only one Indian representative (a tribal court judge) on the council.

**Several departures from the council bylaws were observed at the May 29, 1975 meeting of the council including the use of bloc voting for all projects in a functional area and speaking on behalf of, and voting on, an application in which a member has a vested interest.

***These committees are: Criminal Justice Facilities, Juvenile Delinquency and Crime Prevention, Judiciary and Corrections, Police Services and Communications, and Evaluation.

Table 2

Attendance Figures for NDCLEC Meetings May 1974 to May 1975

October 1975

	Percent
Functional Area	
Police	83
Courts	78
Corrections	78
Juvenile delinquency	58
Type of Jurisdiction	
State government	78
State legislators	63
Non-criminal justice state agencies	59
Indian reservations	75
Local government	70
Private citizens	73

Source: ACIR 1975 Safe Streets survey.

development districts (RC&D's) perform a variety of state services including comprehensive regional planning ("701"), economic development planning (EDA) and human resources planning (OEO). Only six RC&D's were designated for criminal justice planning.

At the time of the field work, there seemed to be strong resentment of regionalization on the part of both the council staff and local elected officials, particularly in the northeastern and western parts of the state. This was a result of action taken by LEAA's regional office to force the NDCLEC to regionalize by attaching a special condition to the 1974 planning grant application. Regions continue to exist despite the present LEAA regional administrator's recognition that in small states like North Dakota they often are ineffective because of inadequate geographic and jurisdictional scope. Many city and county elected officials shared this concern. They viewed the region as another administrative level that has assumed unauthorized power and unnecessary functions. Some local officials also believed regions were a threat to their autonomy.

The executive directors of the three RC&D's discussed in this case study are the U.S. Soil Conservation Service program representatives on the staff. The criminal justice planning staff consists of one regional planner for each of four regions, with one planner covering both the fifth and the sixth regions. Criminal justice planners are hired by the RC&D's. The responsibilities of the planners include performing and coordinating criminal justice planning for units of local government in their designated regions and reviewing applications from such units for action subgrants either upon referral from or concurrently with the council staff. It was consistently mentioned by the regional planners interviewed that local applications, most of which are developed by police departments, frequently bypassed their desks and were submitted directly to the council staff.

The supervisory boards for regional criminal justice planning are the criminal justice advisory committees to the RC&D council. These committees are less than a year old. Their major authority lies in making recommendations on the disposal of each local application prior to NDCLEC action. Membership on advisory committees for the three regions included in this case study ranged from 12 to 20 members, appointed by the regional council for an average term of one year. The chairman was normally elected by the other advisory committee members. The majority of representatives were elected officials, but this category also included criminal justice personnel such as sheriffs and judges. Police accounted for the largest proportion of criminal justice officials sitting on the advisory committees. Attendance at meetings ranged from 40 to 75 percent, with local elected officials generally attending meetings themselves instead of sending criminal justice officials to represent them. It was the opinion of most local interviewees that their interests were adequately represented at the regional level. Composition of the advisory committees does not seem to be an important factor in determining how Safe Streets funds will be distributed.

The relationship between regional planners and local criminal justice agencies is somewhat peculiar. Local elected officials and criminal justice officials of the larger cities and counties prefer to deal directly with the council staff—particularly concerning application development and procedures—because they believe that the council staff possesses the most authority and influence. On the other hand, smaller cities and counties would rather work with the regional planners who they believe are essential conduits of information about fund availability.

The relationship between the regional planners and the council staff can be characterized as tense, largely due to the forced regionalization of North

Dakota by the LEAA regional office. The regional planners are unhappy about being subordinate to the council staff. They assert that the primary source of local criminal justice planning should be the region instead of the state. They also asserted that communication has been poor, especially concerning application guidelines and procedures. On the other hand, the council staff visualizes the regional planners as extensions of the state with substantial responsibility for planning. But the council staff believes that the NDCLEC executive director should determine the general direction of the regional planning effort.

SAFE STREETS PLANNING

As in the other case study states, there were no comprehensive statewide criminal justice planning activities in North Dakota prior to the initiation of the Safe Streets program in 1968. Such efforts had not been initiated at either the local or the regional levels.

Over the years there have been three cycles in the planning process for Safe Streets funds, leading to a gradual decentralization of responsibilities. During the first six years of the program, authority was concentrated at the state level. The NDCLEC staff utilized the functional committees of the council to determine and prioritize the problems and needs of the criminal justice system, based largely on their analysis of crime rates and other criminal justice data. When this information had been gathered, the staff findings were incorporated into the state plan. Attempts were made by the staff to obtain input from other state criminal justice agencies, local elected officials and functional specialists to facilitate establishment of funding needs. Some funds were reverted to the Federal government due to the inability of the small NDCLEC staff to develop applications for available monies.

The second cycle began with an attempt on the part of council staff to work with the regional planners in developing the 1975 state plan. A state-regional planning process was established but failed to operate because: (1) the regional planners were too independent; (2) the methods for obtaining regional input into the planning process were not clearly defined; and (3) there was not enough time to develop regional plans because the criminal justice component of three of the five RC&D's were just being established. As a result of these factors, only a list of projects was produced.

Despite this failure to decentralize, an attempt was made in the course of preparing the 1976 state plan to use regional planners to gather criminal justice information. However, the 1976 state plan was merely a compliance document based on LEAA requirements because the Federal guidelines arrived quite late. In addition, the regional boards identified their needs without having adequate data and did not prioritize projects.

Concluding in early 1975 that the decentralization process had not been successful, the council staff reevaluated its approach. As a result, in developing the 1977 state plan, the staff has decided to handle the planning for state agencies while the regions will handle the planning for local agencies. Under a recent contractual agreement, the planning activities of the RPUs will involve the following major functions: (1) collecting and analyzing regional criminal justice data; (2) establishing regional criminal justice problems, needs and priorities; (3) providing technical assistance to local criminal justice agencies to enable them to develop programs which will meet criteria for grants as established in the state plan; (4) acting as liaison between applicants and the council staff during state-level review of applications; and (5) monitoring projects that cost more than $10,000. These responsibilities are a substantial addition to the current RPU role, which has mainly involved notifying potential applicants about fund availability, serving as a communications link with the council staff, assisting in local applications development, making application recommendations to the NDCLEC, setting some policies and priorities for criminal justice planning, gathering statistics and data, and performing some monitoring and evaluation activities. 457

In mid-1975, then, the council staff had a much greater role in and influence over the planning process; however, this pattern may change in the future as the regions become more involved in planning and monitoring activities. Another consideration is that, even though the scope of NDCLEC's planning activities is primarily limited to Safe Streets-funded state and local criminal justice programs, regional planners find themselves becoming more and more involved in planning and providing technical assistance for local anti-crime activities that are not supported by Safe Streets dollars. For example, the South Central Dakota regional planner was largely responsible for planning a program for the City of Jamestown Task Force on Crime and Vandalism.

Allocation and Adequacy of Part B Funds

The NDCLEC's planning grant for FY 1976 is $424,000. Combined with the state match, it will produce a total planning budget of $490,330. Forty percent of these funds will be passed through to regional planning units; $169,600 is available for regional planning, with five agencies funded with a minimum amount of $25,000 each.* No local units of government will receive Part B assistance.

NDCLEC and regional officials interviewed believed that the amount of planning funds available for both the council and the RC&D's was inadequate for carrying out their assigned responsibilities. However, local chief executive, legislative and criminal justice interviewees felt that the regional share of Part B monies was sufficient. This viewpoint reflects the attitude expressed by most state, local, and NDCLEC officials that planning in isolation is a waste of money and that implementation should be the focal point of the program. It also underscores some local officials' distrust of the regions.

NDCLEC officials felt that the inadequacy of planning funds has greatly hampered a substantial number of basic council functions including planning, program development, application development and review, and monitoring and evaluation. Technical assistance has been hampered by limited personnel. Yet, even with the relatively small amount of funds available, it seems that over the years the NDCLEC has developed a capacity to plan that is adequate in certain respects. The council's activities in planning, establishing funding priorities, monitoring, evaluation, application review and auditing have steadily increased. However, it is difficult to assess North Dakota's planning capacity because the term "planning" seems to be so relative. If "planning" means planning for dollars and developing projects, then North Dakota has developed an adequate planning capacity in terms of systemwide, and multiyear planning. It is questionable whether a substantial addition of personnel would produce further improvements.

Regional planners argued that the lack of Part B funds had hindered their planning, program development and application assistance efforts. Yet, to date, "planning" at the regional level has usually taken the form of communicating local needs to the council and assisting municipal and county agencies in preparing applications. This is not real "planning" as the term is defined in the Safe Streets Act. The inadequate regional planning capacity can also be attributed to the relative newness of the RC&D's criminal justice role and the tendency, until recently, of council staff to be skeptical of planning activities of the RC&D's.

To sum up, North Dakota's state plan is procedurally comprehensive and in compliance with LEAA requirements. However, it is difficult to judge its comprehensiveness based on more substantive performance criteria because of the relative nature of the term "comprehensive." North Dakota's state plan is comprehensive in the sense that: (1) it reflects an identification of criminal justice needs, problems and priorities for Safe Sreets funds based on the responses of state and local criminal justice agencies; (2) it involves input from most state and local criminal justice agencies; and (3) it adequately apportions funds among most of the criminal justice functional areas in the state, with the possible exception of the courts. Regional plans are in their infancy. These plans are a collection of crime and criminal justice data, with some identification of criminal justice needs, problems and priorities for the regions. Local plans for criminal justice simply do not exist.

Supervisory Board Decision Making

The NDCLEC has authorized the executive director to act on its behalf in approving training and small equipment grants of less than $1,500. In most other states, the executive director's grant approval discretion is more extensive. Generally, the council itself is impatient regarding the slow, tedious work involved in planning and is not always willing to abide by the state plan when it must make funding decisions.

Although partisan political considerations rarely enter the picture as a factor in determining the decisions of the council, some state criminal justice agencies and local elected officials believe that the council is too political, that it engages in vote trading based on a strong mutual understanding between members that votes are needed for each other's projects. The composition of the committees that approve applications for a particular functional area was cited as a major reason. For example, the corrections committee consists of the present and former wardens of the state penitentiary, the director of institutions, the prison psychologist and the chief agent of the crime bureau—all of whom have vested interests in the corrections area. The committees exercise the only substantial influence over council decisions. This has not always been the case. Initially, the police determined the outcome of many deliberations of the council because they were better prepared for the negotiating process involved in obtaining funds. This imbalance has since been corrected.

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*The minimum amount of $25,000 includes a full-time planner, half-time secretary, travel, and support services. For additional amounts awarded above the minimum, the following items are taken into consideration: population of the region, physical size of the region, number of planning boards to be dealt with, distance from the NDCLEC office in Bismarck and impact areas within the region.

Staff impact on council decisions is limited to offering advice on fiscal and LEAA guideline matters and reporting on the progress of previous grants that are scheduled for renewed funding. All members on the council seem to defer to criminal justice agency representatives rather than to the staff on technical problems or issues. However, they do not defer to these representatives on funding decisions.

The role of the advisory committees in the regional planning process is confined to setting broad policies and priorities for criminal justice activities. They make recommendations for approval or disapproval of applications to the council staff. However, very few applications are disapproved and, in the opinion of many local officials, the council gives little credence to regional recommendations because they are always positive. The police have the most influence on the decisions of the advisory committees because they are the most vocal about their needs and priorities; they constitute the majority of the local criminal justice personnel.

At present, then, both planning and funding decisions are made almost entirely by the NDCLEC. The council does become involved in planning, but it generally follows the recommendations of its staff. The staff also makes funding recommendations, but the actual funding decisions seem to be made by the council. The council's funding decisions could be characterized as political in the sense that it attempts to win support by widely distributing grants to most communities that request them.

LEAA Regional Office

The LEAA regional office finds itself heavily involved with the NDCLEC's staff in: (1) interpreting Federal guidelines; (2) reviewing annual plans; (3) applying and enforcing requirements; (4) distributing discretionary funds; (5) responding to council requests for grant adjustments, extensions and rulings; and (6) applying and enforcing special conditions on state plans. The regional office has never disapproved North Dakota's comprehensive plan and has rarely disapproved either selected programs and projects or delayed approval of the state plan. One such delay occurred in regard to the funding level of courts programs in the 1975 state plan and the extent of representation of the courts on the council.

Special conditions are always placed on the final approval of the state plan. Informal negotiations are conducted between the regional office and the council staff before special conditions are attached to the state plan. In general, it seems that the special conditions have not been very effective in upgrading the planning capability of the council because only written assurances are provided by the NDCLEC staff and LEAA lacks followup to ensure compliance. At the same time, some state and local officials believe that special conditions are petty and unnecessary and only partially effective in ensuring strict compliance with Federal guidelines. 459

Conflicts occur between the regional office and the council staff over the interpretation of Federal guidelines. However, the council staff seemed to be more upset with the form of the Federal guidelines than with their substance. The council did not consider the role of the regional office in applying and enforcing requirements and special conditions, distributing discretionary funds and encouraging national priorities in state plans to be helpful. They also contended that most of the components of the annual comprehensive plan required by LEAA had been of little use.

The council staff believes that the role of the state representative is badly in need of further clarification. They perceive the position of state representative as eliminating most direct contact and communication between the executive director and the regional administrator. Furthermore, council staff program specialists communicate with their regional office counterparts rather than using the state representative as a conduit of information. The state representative, however, perceives his role as that of a liaison or "middleman" between the council and LEAA. He also considers it his function to ensure compliance with LEAA wishes through negotiation and diplomacy.

Since 1969, LEAA discretionary funds in North Dakota have been primarily used to fill gaps in block grant funding. The regional office has substantial influence over the distribution of discretionary grants. Most of these monies have been awarded to Indian reservations within the state for police manpower, training and equipment. Discretionary grants have also been used for a recreation building for the state penitentiary, for court programs, for standards and goals development, and for the ABM Impact Area.

A spokesman for the North Dakota Indian Reservations did not agree with the LEAA regional office's policy of limiting discretionary grants to one grant per reservation as a means of guaranteeing equity, because some reservations are larger than others and have greater needs. He also thought that the Indians should have more representation on the NDCLEC and that the council staff was lax in providing information on fund availability, although he stated that he has received ample assistance from
460 them in developing applications. He believed that the discretionary grants for manpower and training have upgraded the criminal justice systems on the Indian reservations, but he would like to see the Tribal Office reestablished in the regional office. He would also like to see a revenue-sharing approach for distribution of funds to the United Tribes.

The Indian coordinator at the NDCLEC mentioned that the Indians of North Dakota have developed a large number of sophisticated juvenile detention centers. He also mentioned that LEAA discretionary grants have greatly increased the number of police officers on the reservations.

SAFE STREETS FUNDING

As indicated in Table 3, North Dakota's Part B planning funds have grown from $142,390 in 1969 to $382,000 in 1975. The increase in Part C action funds has been much more substantial—from $100,000 in 1969 to $1,585,000 in 1975. Part E corrections dollars have risen from $146,000 in 1972 to $170,000 in 1975.

Distribution and Use of Action Funds

According to state and local officials interviewed, at the inception of the Safe Streets program the criminal justice system in North Dakota badly needed upgrading. Partially due to the historically low crime rate in the state, the criminal justice system had neither required nor received substantial resources. Thus, the majority of the Safe Streets funds, particularly in the early years of the program, had been used to provide the basic equipment, training and services needed to meet minimum standards and to develop an acceptable law enforcement capacity. Some state and local officials agreed that the development of innovative and experimental approaches to crime reduction was not the most pressing need in North Dakota. Rather, NDCLEC's primary goal has been to upgrade, modernize, and

Table 3

Part B, C and E Awards to North Dakota
FY 1969-1975
(In thousands)

Fiscal Year	Part B	Part C	Part E
1969	$142,930	$ 100,000	
1970	148,000	618,200	
1971	162,000	1,125,000	$285,000*
1972	188,000	1,364,000	146,000
1973	317,000	1,583,000	169,000
1974	317,000	1,583,000	169,000
1975	382,000	1,585,000	170,000

*Also includes discretionary grants to Indians.

Source: LEAA Grants Management Information System (GMIS) data.

Table 4

Recipients of Action Funds
1974 Grant Sample

Recipient	Number of Grants	Percent	Amount of Funds	Percent	Amount of Average Grants
State	47	24	$ 601,917	40	$ 12,808
County	68	34	426,214	28	6,268
City	76	39	377,867	25	4,972
Non-profit	5	3	103,884	7	20,777
TOTAL	196		1,509,883		

improve basic law enforcement and criminal justice activities in the state. With this in mind, the field team examined all 196 subgrants awarded to state and local recipients by the NDCLEC between Jan. 1, 1974 and Dec. 31, 1974. The purpose of this analysis was to determine who had received Safe Streets funds and how these funds had been used.

As indicated in Table 4, during the calendar year chosen, local recipients were provided more than three times as many subgrants and 25 percent more funds than state agencies. Every state criminal justice agency has received a Safe Streets grant, including the governor's office and the legislative council. As a rule, the average size of subgrants to state agencies was far larger than subgrants to local recipients, while the latter, as a whole, received a greater number of subgrants.

Because of the scarcity of large cities in North Dakota, it is not surprising to see more funds awarded to counties than to cities. More than half of the country subgrants during 1974 were used to establish or maintain contract policing services for their constituent jurisdictions.

To determine the nature of the activities funded, all subgrants were placed into the five categories listed in Table 5. Of the 196 subgrants awarded, 140, or approximately 71 percent, were for equipment or training. However, these subgrants accounted for only 36 percent of the funds. There were more than 114 training and equipment subgrants under $5,000 awarded during 1974; this represented 58 percent of all subgrants. Yet, these 114 subgrants totaled less than 6 percent of all funds awarded during that period.

Numerous reasons were offered for this abundance of small grants, 80 percent of which went to localities. The NDCLEC staff felt that the most pressing needs of small local jurisdictions were for basic police and court training and for minor items of equipment needed to upgrade operations in these areas. Small jurisdictions did not require either major equipment purchases or new services, nor

Table 5

Primary Activities Supported With Action Funds
1974 Grant Sample

Primary Activity	Number of Grants	Percent of Grants	Amount of Funds	Percent of Funds
Equipment	68	35	$ 262,439	17
Construction	1	1	1,697	0
Services	50	26	910,470	60
Training	72	37	282,151	19
Personnel	5	3	53,126	4
TOTAL	196		$1,509,883	

could they raise the matching funds to qualify for large subgrants. Local officials, in turn, were quite satisfied with these grants because, in most cases, they have upgraded their police and court operations to an extent that would not have been financially possible without Safe Streets funds. They are also very aware that the costs of long-term service subgrants will eventually have to be assumed by the localities. Therefore, they prefer one-time training, renovation or equipment projects that will not overburden their local budgets.

It is clear from Table 5 that the majority of funds (60 percent) was used to provide services, such as contract policing, juvenile delinquency prevention and treatment alternatives, alcohol and drug treatment programs and offender rehabilitation activities. A persisting criticism of the states' administration of the Safe Streets program has been that large amounts of funds were expended for equipment and hardware. However, in the North Dakota grant sample, six of every 10 dollars were allocated for services, with fewer than two of every 10 dollars going for equipment subgrants.

The insignificant amount of funds allocated for construction in the grant sample was somewhat unusual and was a function of the year chosen for analysis. The staff of the NDCLEC indicated that in previous years a larger proportion of funds had been spent for this purpose. They believed this would again be the case in future years. However, they noted that requests for construction assistance had dropped sharply as the result of the change to cash-matching requirements and discouragement of requests by the NDCLEC because of the state legislature's reluctance to provide match.*

Throughout the North Dakota field work, interviewees commented that in the early years of the Safe Streets program, police services had received a disproportionately large share of the funds, partially because the need was so great in this area and partially because law enforcement agencies were better organized and better prepared to participate in the program. However, almost everyone thought that in recent years a more appropriate balance had been achieved and that other components of the criminal justice system were now receiving their fair share. Table 6 indicates the breakdown by functional area of all subgrants awarded in 1974.

The police services are still receiving the largest portion of the funds, primarily for contract policing services. Of the 99 subgrants, 16 (totaling $140,443) were for the purchase of police communications and information systems equipment. These represented approximately nine percent of the total grants awarded and 22 percent of the total expenditures. The courts system, which did not request substantial Safe Streets support prior to 1973, is now receiving

Table 6

Distribution of Action Funds by Functional Component
1974 Grant Sample

Component Functional	Number of Grants	Perdent of Grants	Amount of Funds	Percent of Funds
Police	99	51*	$ 652,237	43
Courts	50	26	154,809	10
Corrections	17	9	282,957	19
Juvenile Delinquency	19	10	197,528	13
Crime Prevention	4	2	64,564	4
Drugs and Alcohol	5	3	152,245	10
Combination	2	1	5,543	0
TOTAL	196		$1,509,883	

*Without information and communications systems included.

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*General revenue sharing (GRS) funds have been used by some local communities either for constructing combined law enforcement centers which house and provide all functional services, or for renovating court rooms. Cass County, for example, is spending $350,000 of its GRS funds to build its juvenile detention home, while the City of Fargo has used $195,000 in GRS funds for crime prevention and traffic improvement. Neither the NDCLEC funds nor the RPUs have played any role in planning for the use of revenue sharing funds.

10 percent of the action funds. This change has come about as the result of new court leadership and the increased emphasis placed on the support of the judicial activities by the NDCLEC and LEAA's regional office.

To verify our grant sample findings, award data from LEAA's Grants Management Information System were examined.* Table 7 corroborates the statements regarding functional shifts in action funding emphasis over the years.

To further assess the nature of the major activities supported by the NDCLEC, we asked the council staff to review with the field team the 82 subgrants of more than $5,000 that were awarded in 1974 and to categorize each according to two sets of criteria. The first set of criteria was intended to determine the degree to which the subgrant represented a new activity at the state or local level. The four categories were: (1) never attempted anywhere; (2) never attempted within the state; (3) never attempted within the locality; and (4) previously attempted in the jurisdiction. The findings presented in Table 8 indicate that more than 60 percent of the awards larger than $5,000 were used to support activities that had never been attempted within North Dakota prior to Safe Streets support. An additional 22 percent of the awards went for activities that had never been attempted in the locality receiving the funds. Only 15 percent of the awards supported activities that had already been tried in the recipient jurisdiction. The funds in the last category were almost always used to replace outdated equipment.

Achieving functional balance in funding does not seem to be a major problem in North Dakota because funds are rarely denied to a state or local criminal justice agency. The major exception here is the courts, which have been turned down on a few occasions because of: (1) the lack of funds in a particular functional category; (2) omission of a proposed project from the state [illegible]n; or (3) failure of the courts to meet planning deadlines for proposed projects. With the exception of the courts, most of the state criminal justice agencies thought they had obtained a fair share of Safe Streets dollars.

Local officials generally were satisfied with the amount of support they had received. Some local officials thought, however, that smaller communities were not receiving their fair share of support be-

Table 7

Functional Distribution of Part C and E Funds in North Dakota FY 1969-1974

	Police		Courts		Corrections		Combinations		Non CJ Agencies	
	$	%	$	%	$	%	$	%	$	%
1969	43,366	50	7,054	6	5,151	5	5,975	6	25,100	28
1970	366,803	60	48,960	8	145,994	24	25,856	4	14,738	2
1971	714,210	62	101,831	8	212,359	18	51,000	4	58,997	5
1972	695,628	49	227,341	15	291,467	20	12,156	1	182,484	12
1973	898,952	61	159,770	9	276,359	18	0		124,971	8
1974	540,078	37	286,053	23	231,950	19	7,578	1	128,180	10
TOTAL	3,259,037	55	831,009	14	1,163,280	19	102,565	1	534,470	9

Source: GMIS data.

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*For a discussion of the limitations of GMIS data, refer to Chapter V.

cause they lacked both information about fund availability and expertise in writing grant applications. However, ACIR's grant sample findings indicate that this was not the case.

The local governments in North Dakota that have the greatest criminal justice problems and needs have been allocated a proportionately larger share of Safe Streets funds. The City of Fargo and Cass County encompass the most heavily populated areas in the state, have a higher crime rate than the state as a whole and have relatively high direct criminal justice expenditures. Although they received only 13 percent of the grants awarded in FY 1974, 32 percent of the state's Part C allocation went to these jurisdictions. (See Appendix 3, p. 473.)

In order to check on the above categorization and to further assess the nature of NDCLEC funding of larger projects, the field team asked the NDCLEC staff to help categorize the 82 major subgrants according to whether they involved: (1) a new activity; (2) an expansion of an existing activity; (3) an update or modernization of an existing activity; or (4) a routine activity. The breakdown in Table 9 shows that, in the judgment of the NDCLEC staff, 56 percent of the grants of more than $5,000 in 1974 supported new activities. Only six percent supported routine activities.

In summary, the sample of grants indicates that even though North Dakota supports few truly innovative or experimental activities, the majority of the Safe Streets funds are used for projects that are either new to the state or new to the local jurisdiction in which they were attempted. Most grants involve services rather than training, construction or equipment. Most of the subgrants are small training or equipment awards that constitute only a fraction of the dollars allocated. These subgrants require a significant amount of administrative time.

Subgrant Award Procedures

The NDCLEC staff has a well established set of policies and priorities to guide funding. The most controversial ones exclude personal equipment for police (such as lethal weaponry and vehicles), conference expenses outside of the contiguous 48 states and support of assistant state's attorneys for counties not having them. RC&Ds have just begun to establish broad funding guidelines. These efforts have evolved slowly because the regions do not distribute block grant funds.

The NDCLEC has awarded subgrants every two months in the past, but in 1976 awards will be made only three times a year. Eventually awards will be made on an annual basis. As a result of the past award schedule, too much staff time has been devoted to application review and too little to genuine planning activity. Administering the plethora of small grants further reduces the council's planning capacity.

Review and approval of local applications is completed concurrently by the NDCLEC and the regional planners. This process takes about four weeks. A-95 clearance is conducted concurrently with

Table 8

Prior Attempts of Activity
1974 Grant Sample*

	Number of Grants	Percent of Grants	Amount of Funds	Percent of Funds
Never attempted anywhere	2	2.4	$ 59,542	4.2
Never attempted in state	50	61	986,150	69
Never attempted in locality	18	22	240,753	17
Had been attempted in locality	12	15	137,784	10

*Over $5,000.

Table 9

Degree of Innovation
1974 Grant Sample*

Degree of Innovation	Number of Grants	Percent of Grants	Amount of Funds	Percent of Funds
New	46	56	$864,320	61
Expansion	17	21	228,820	16
Update	14	17	283,458	20
Routine	5	6	47,631	3

*Over $5,000.

NDCLEC's review of the application by the State Planning Office. All applications are either approved or disapproved no later than ninety days after receipt by the NDCLEC. Compliance with the 90-day rule is insured by a schedule of meetings and deadlines that is published 18 months in advance. The total time involved, from the development of the application through the receipt of funds by the subgrantee, is approximately ten weeks. The NDCLEC staff, the state budget office, and the state/local recipients did not feel that there were significant delays in the subgrant award process.

Relationship Between Planning and Funding

In the planning process, half of the Part C block funds for local criminal justice agencies is set aside in broad categories under general statements of needs or problems. All Part C funds for state agency projects are earmarked for specific projects. As indicated in Table 10, in the 1975 state plan the largest allocation of block funds was for communications and information (29 percent), while the smallest was for crime prevention and community relations (three percent). These categories are required by LEAA to help control fund accountability and to maintain a comprehensive program.

According to the NDCLEC staff, 80 percent of the projects included in the state plan ultimately receive funding. Practically all are carried through to the completion of the grant period. Five to ten percent of the NDCLEC allocations each year are approved by the council even if they have little or no relation to the annual action program in the state plan. This does not seem to be a problem because plan amendments based on the data submitted by the applicant are subsequently requested and freely granted by the LEAA regional office. The state representative, however, felt that the NDCLEC requested too many amendments, thus allowing substantial deviations from the originally approved plan and shifting funds from one program to another. In his opinion, this reflected poor planning and poor multiyear projections. On the other hand, the chairman of the NDCLEC believed that such reallocations were a virtue because they ensured flexibility in funding.

Categorization of block grant funds in the state plan can be a detriment, especially if an emergency arises. Moreover, the one-year lag between planning and funding has affected the number of applications for a particular category, usually leaving the staff either short or overloaded in a particular category. The NDCLEC may be partly to blame for this situation because they have experienced problems with the RC&Ds in obtaining local input into the planning process; hence, the staff makes subjective judgments about the county and city needs.

Continuation Funding

The NDCLEC has a stringent continuation funding policy, in effect since March 1974, that no project will be funded for more than four years. State assumption of cost is not a very serious problem, particularly with regard to state criminal justice agencies, because the legislature approves the match for individual state projects. The legislature is very cognizant that it will eventually have to assume project costs. For this reason, some state projects were rejected in the last legislative session.

Table 10

Allocation of North Dakota's 1975 Part C Action Funds to Substantive Areas of Law Enforcement

(Federal Monies Only)

Juciciary and Law Reform	**Percentage**
Prosecution and defense	6
Effectiveness of court system	5
Court Equipment and reference material	0
Subtotal	11
Juvenile Delinquency and Crime Prevention	
Community Treatment	6
Prevention and diversion	6
Prevention of crime	0
Subtotal	12
Corrections and Detention	
Institutional services	7
Probation & parole	1
Community based corrections	13
Subtotal	21
Law Enforcement Services	
Rural or innovative policing	6
Specialized services and criminal investigation	8
Equipment	3
Subtotal	16
Communications and Information	
Upgrading communications	29
Statewide records	0
Subtotal	29
Criminal Justice Education	
Peace officer evaluation and training	6
Corrections training	1
Courts training	.6
Juvenile delinquency and crime	.7
Criminal justice system training and education	.6
Subtotal	10
Crime Prevention and Community Relations	
Crime prevention program in criminal justice agencies	3
TOTAL	100

Source: FY 1975 North Dakota comprehensive plan.

The NDCLEC has been successful in obtaining the cooperation of the state and local governments in assuming the costs of most criminal justice projects previously supported by Safe Streets funds. Safe Streets projects that have received state government support include drug abuse programs, the state penitentiary, the law enforcement training center, the statewide communications system and contract policing. The key factors influencing state assumption of cost are the proven success of the project and the ability of the state to provide financial assistance.

The NDCLEC requires five percent matching in the first year of funding, 25 percent in the second year, 50 percent in the third year and 75 percent in the fourth year. Several interviewees believed that the fiscal problems created by an increasing matching requirement could spell the end of many Safe Streets programs in the future, particularly those of a long-term nature.

Most local officials believed that even though they were not currently experiencing difficulty in assuming the costs of long-term criminal justice programs that were initiated with Safe Streets funds, this could become a problem in the near future. This view explained the preference for one-time training and equipment grants revealed in the grant sample analysis. However, local governments have assumed the costs of contract policing, juvenile officer programs and juvenile probation programs when Safe Streets funding has terminated.

Effects of Funding Restrictions and Requirements

In the opinion of those interviewed, the statutory requirement that has created the most problems to date is the 50 percent state buy-in for construction. This has virtually eliminated all requests for Part C funds for construction because the state legislature will not provide the match. Most state and local officials expressed satisfaction with the other Federal matching requirements, although local officials were concerned over the NDCLEC's required increase in match for continued funding of projects in subsequent years.

The only other complaint about state statutory requirements came from judicial officials who have requested that the law creating the NDCLEC be modified to include more court representatives on the council.

Objections to NDCLEC administrative requirements included the 48-contiguous-state rule for training, the funding policy on lethal weaponry and vehicles, the requirement that jurisdictions employ a full-time state's attorney before a grant for an assistant state's attorney will be awarded, and the possibility that local activities will be restricted if a statewide crime prevention program is developed.

Monitoring and Evaluation

In order properly to judge the impact of Safe Streets funds, it is necessary to examine the monitoring and evaluation activities of the NDCLEC. Both desk and on-site monitoring efforts, particularly in connection with training and equipment grants, seem to be carried out regularly and in time for planning and funding decisions. RC&Ds are beginning to provide supplemental project monitoring. The council's evaluation strategy, however, has been stymied by the legislature's failure to provide the match necessary to develop the proposed evaluation system at the state level. Although NDCLEC evaluation efforts have greatly increased since 1973, the present system is inadequate because of limited funds and limited staff. In addition, the subjective nature of the evaluations make their value questionable. Dissension seems to be building among members of the NDCLEC over the objectivity and utility of in-house evaluations versus independent outside evaluations.

IMPACT OF THE SAFE STREETS ACT

Generally, the block grant approach incorporated in the Safe Streets Act has increased the discretion and flexibility of the state and local governments in dealing with criminal justice problems and in carrying out the responsibilities associated with the program. However, this may decrease if greater categorization of the program by Congress and LEAA occurs.

Most of North Dakota's criminal justice projects supported by Safe Streets funds have had some impact on crime. Interviewees conjectured that without these dollars there might have been an increase in the crime rate, particularly in rural communities.

Most officials believed the criminal justice agencies have begun to view themselves as parts of an interdependent system over the past six years. All components of the system have begun to better understand each other's problems as a result of representation on the council and on other criminal justice task forces and commissions.

There are disparate opinions concerning the components that have resisted the trend toward an interdependent system. The NDCLEC staff points out that the police forces still tend to operate independently of each other. They lack a focal point to coordinate their activities. The courts, on the other hand, are unified through the Judicial Council. Some interviewees said that the courts' desire for autonomy is based on the separation of powers doctrine rather than on the actual working relationships between the various components of the system. They also noted the hostility between the police and courts and the possible friction between the police and juvenile delinquency officials once juvenile delinquency funds under 1974 Federal law become available. But all of those interviewed agreed that the trend in improved interfunctional cooperation can be attributed to the role of the NDCLEC staff and the Safe Streets funds. The staff has been particularly instrumental in providing funds and coordination assistance for training, seminars, interdisciplinary workshops, and letters of agreement or cooperation between agencies.

The NDCLEC and Safe Streets funds have played a substantial role in upgrading and improving the criminal justice system in North Dakota. In the police area, a major accomplishment has been the consolidation of small rural police departments through contract policing, improving especially communications equipment, upgrading the statewide communications system, constructing combined local law enforcement centers and revising the criminal code. In the courts, prosecution and defense areas, the creation of an Office of State Court Administrator, the implementation of judicial training efforts and the decriminalization of selected crimes, such as public drunkenness and traffic offenses, have been noteworthy achievements brought about by the program. However, North Dakota has been unable to unify its court system, to establish a statewide public defender system, or to provide full-time state's attorneys on a statewide basis because of opposition of the legislature and various court personnel. In corrections, probation and parole, Safe Streets funds have greatly improved correctional facilities, increased the number of personnel and the quality of personnel training, and given inmates greater educational opportunities. Very little has been accomplished in providing community-based correctional alternatives. No major changes have occurred in the juvenile delinquency area. The most significant crime prevention development has been the increased law enforcement education programs in the state's colleges and universities. Finally, with respect to drugs and alcohol, public drunkenness has been decriminalized and more educational and training opportunities have been made available for drug and alcohol rehabilitation personnel.

SUMMARY OF MAJOR ISSUES

The implementation of the Safe Streets Act in North Dakota has revolved around five major issues.

The NCLEC policy of continuation funding. This policy, in conjunction with increasing matching requirements, has allowed state and local criminal justice agencies to plan ahead for assuming costs of programs supported by Safe Streets funds. However, because of fiscal hardship at the state and local level, this stringent policy may be a stumbling block in the future for those jurisdictions unable to afford to assume the costs of long-term criminal justice programs initiated with Safe Streets funds.

Role of regional planning units. Uncertainty over the role of the RC&Ds in the planning and funding process is a consequence of the forced regionalization of the state by the LEAA regional office. No other issue appears to have generated so much tension between the LEAA regional office and the SPA, and between the SPA and RPUs, as this issue. In the past, the RPUs have had little impact on the state planning process and no real effect on NDCLEC decision-making. However, this situation may change as the state attempts to make the regions partners in the planning process by decentralizing some planning responsibilities.

Role of the state legislature. The state legislature has exerted strong control over the use of Safe Streets funds at the state level by carefully scrutinizing state agency projects before providing matching funds. Such scrutiny has enabled the legislature to assess projects with a view toward assuming their costs after Safe Streets funding terminates. The biennial sessions have forced the state agencies to plan for Federal aid well in advance of actually receiving support for their projects. This lead time has impeded the funding of innovative undertakings. The role of the North Dakota Legislature in the Safe Streets program is an active and constructive one at a time when many other state legislatures are examining their participation in the program.

Supervisory board representation. The persisting predominance of state officials and police officers on the NDCLEC and the inequitable representations of the public, courts and Indians is a curious issue in light of the fact that almost all officials interviewed felt that they had received a fair share of Safe Streets funds. The representation issue, although concerned with supervisory board composition, does not appear to relate to the distribution of Safe Streets funds.

Distribution and use of funds. The grant sample for North Dakota revealed that a disproportionate share of Safe Streets funds had been allocated to the police. There was also a large number of small, one-time training and equipment grants. Police funding dominance can be explained by North Dakota's great need to allocate funds to improve this area and by the fact that law enforcement agencies were better organized and better prepared to participate in the Safe Streets program than were the other functional areas. The upgrading of criminal justice operations through basic police and court training and through the purchase of minor items of equipment that small local jurisdictions could afford with matching funds was also of high priority. However, the plethora of small grants require that a significant amount of time be devoted to grant management rather than to important planning activities.

With the exception of a spokesman for the state budget office, almost all the respondents interviewed wanted to see the Safe Streets program continued. The budget officer felt that North Dakota didn't need the program because there were higher priorities for state matching dollars, such as mental helath and education. Almost all local elected and criminal justice officials favored a revenue-sharing approach over the block grant concept. In contrast, state officials favored a reaffirmation of the block grant approach with an expanded state role.

If the Safe Streets program were discontinued, the possibility exists that the NDCLEC would continue to operate with a skeleton staff that would be responsible for training coordination and information systems. The council itself would probably continue to operate in a capacity other than grant approval. It is doubtful that the RPUs would continue to operate as planning agencies at the regional or local level if funding terminated.

In conclusion, North Dakota is a good example of a small rural state that has become involved in criminal justice matters beyond the requirements of the Safe Streets Act. Its legislature has participated in a positive and major way in the program. The SPA has made a serious effort to fairly distribute Safe Streets funds in order to substantially upgrade and improve the criminal justice system in the state. Planning activities, however, have been directed largely toward fund allocation decisions. Difficulties have been experienced in decentralizing

APPENDIX 1
North Dakota Site Visits

The regions that were analyzed in this case study were the Lake Agassiz Region (Region 5), which includes the Fargo-Moorhead SMSA and Cass County; the Red River Region (Regions 3 and 4), which includes the City of Grafton, as well as Walsh and Pembina Counties; and the South Central Dakota Region (Region 6), which includes the city of Jamestown. The following counties were studied: Cass, Pembina, Walsh, Mercer, Williams and Stark Counties. The following cities were included in the study: Fargo, Grafton, Grand Forks, Dickinson, Williston and Jamestown.

470 Site visits were conducted at the following locations: the Lake Agassiz Regional Council, the South Central Dakota Regional Council, the Red River Regional Council, Pembina, Walsh and Cass Counties, and the cities of Fargo, Grafton and Jamestown. Telephone interviews were conducted with respondents in the other jurisdictions mentioned above.

Interviews Conducted in North Dakota

May 1975

Robert Holte, Executive Director, North Dakota Combined Law Enforcement Council

Kenneth Dawes, Assistant Professor of Social Work, University of N.D., former SPA Director, North Dakota Combined Law Enforcement Council

Oliver Thomas, Assistant Director, North Dakota Combined Law Enforcement Council

Donald Skaar, Financial Officer, North Dakota Combined Law Enforcement Council

Thomas Wallner, Indian Services & Courts Coordinator/Civil Rights Compliance Officer, North Dakota Combined Law Enforcement Council

James Kraft, Corrections Coordinator, North Dakota Combined Law Enforcement Council

Michael Hill, Training and Police Services Coordinator, North Dakota Combined Law Enforcement Council

Dennis Goetz, J.D. Coordinator, North Dakota Combined Law Enforcement Council

George Gagnon, Director of Administration, Governor's Office

John Graham, Assistant Director, Legislative Council

Larry Isaak, Fiscal Analyst, Legislative Council

Chester Nelson, Budget Analyst, Legislative Council

Howard A. Freed, State Senator, 37th District, Senate Judiciary Committee

Robert Stroup, State Senator, Hazen and Mercer Counties

Vernon E. Wagner, State Representative, Chairman, House Appropriations Committee

Aloha Eagles, State Representative, Fargo and Cass Counties

Allen Olson, Attorney General, Office of the Attorney General

Thomas Kelsch, Deputy Attorney General, Office of the Attorney General (Criminal Division)

Edward Klecker, Director of Institutions, Office of Institutions

Ralph Ericstaad, Chief Justice, Supreme Court of North Dakota

Col. Ralph Wood, Superintendent, North Dakota Highway Patrol

Cal Rolfson, State Court Administrator, Executive Secretary, Supreme Court of North Dakota, (Judicial Council)

Irvin Riedman, Director, Secretary, State Parole Department, Board of Pardon & Parole

Joseph Heavner, Warden, State Penitentiary

Dale Moug, Deputy Director, Department of Accounts and Purchases (State Budget Office)

Jeff Skjerven, Regional (Criminal Justice) Planner, Red River Regional Council

James Beneteau, Regional (Criminal Justice) Planner, Lake Agassiz Regional Council

Rodney Anderson, Regional (Criminal Justice) Planner, South Central Dakota Regional Council

Robert E. Conklin, Executive Director, Lake Agassiz Regional Council

Julius Wangler, "701" Planner, Red River Regional Council

Leslie Askew, Chairman, County Commissioners, Pembina County

Eugene O'Keefe, Commissioner, Pembina County

J. Oliver Johnson, Commissioner, Pembina County

Harrison Thexton, Commissioner, Pembina County
Oscar Sondroll, Commissioner, Cass County
George Griffeth, Commissioner, Cass County
H. A. Hendrickson, Commissioner, Cass County
Donald Hastings, Commissioner, Stutsman County
Alex Hauck, Commissioner, Stark County
Robert A. Dahl, Mayor, Grafton
G. E. Burchill, Mayor, Jamestown
C. P. O'Neill, Mayor, Grand Forks
Richard Hentges, Mayor, Fargo
Glenn Wells, Sheriff, Pembina County
Ivan Stiefel, Sheriff, Mercer County
Jack Dailey, Sheriff, Cass County
Ernie Shoults, Sheriff, Walsh County
Joseph Peterson, Deputy Sheriff, Walsh County
William H. Broer, Chief of Police, Grafton
Jerry Barnhardt, Chief of Police, Dickinson
Edwin Anderson, Chief of Police, Fargo
James Klague, Chief of Police, Grand Forks
Rodney S. Webb, Municipal Judge, Grafton
Leroy Anseth, States Attorney, Williams County and City of Williston
Henry Gayton, Special Agent, Bureau of Indian Affairs
Clay Fowler, Participant, NYPUM Project
Arthur Lanz, Private Citizen, League of Cities
Joseph Mulvey, LEAA Regional Administrator, Denver Regional Office
Thomas Bell, LEAA State Representative, Denver Regional Office

APPENDIX 2

Percentage Representation of Case Study RPU Boards By Functional Area and Type of Jurisdiction

Lake Agassiz Region

Functional Area	Percent	Type of Jurisdiction	Percent
Police	40	City Government	40
Courts	20	County Government	50
Prosecution and Defense	20	State Government	-
Juvenile Delinquency	10	Private Citizens	10

(The regional planner also reported a 70 percent representation of local elected officials, with the exclusion of criminal justice officials, a 10 percent representation.)

Red River Region

Functional Area	Percent	Type of Jurisdiction	Percent
Police	85.7	City Government	53.8
Courts	-	County Government	46.2
Prosecution & Defense	14.3	State Government	-
Juvenile Delinquency	-	Private Citizens	-

(The regional planner also reported a 69.2 percent representation of local elected officials, with the exclusion of criminal justice officials, a 38.5 percent representation.)

South Central Dakota Region

Functional Area	Percent	Type of Jurisdiction	Percent
Police	53.8	City Government	20
Courts	23.1	County Government	65
Prosecution & Defense	7.7	State Government	10
Juvenile Delinquency	7.7	Private Citizens	5
Other	7.7		

(The regional planner also reported a 70 percent representation of local elected officials, with the exclusion of criminal justice officials, a 30 percent representation.)

APPENDIX 3

Regional Descriptions

The sample of regional planning units chosen for this case study analysis represents an adequate cross-section of the RPUs of the State of North Dakota. All the RPUs chosen for case study analysis are nonprofit corporations, multi-county and multi-purpose in nature. Their differences lie in population and other demographic characteristics, criminal justice expenditures and incidence of crime.

The Lake Agassiz Region is composed of six counties with a total population of 118,101 representing 20 percent of North Dakota's population. The RPU boundaries border on the Fargo-Moorhead SMSA. The Lake Agassiz Region contains the City of Fargo and Cass County—the largest city and county in the state. This region contains the most heavily populated county as well as one of the least populated counties in the state. The Lake Agassiz Region, taken as a whole, has a higher level of family income than does the state in general.

The total crime rate in 1973 for the Lake Agassiz Region was 1,803.6 crimes per 100,000 population. This is considerably higher than the crime rate for the state as a whole and represents a 38 percent increase in the crime rate over 1972. Most of the crime in the region occured in the SMSA area and, specifically, within the City of Fargo.

The region is also characterized by high local criminal justice expenditures as well as by high state criminal justice expenditures in Safe Streets funds. The Lake Agassiz Region received $337,915 in Part C funds for FY 1973—more than the other two regions included in this case study analysis. The City of Fargo and Cass County were chosen as the representative city and county of this region because (1) they were the most populous city and county in the state; (2) the Fargo SMSA, which included the City of Fargo and Cass County, shows a crime rate of 4,387.7—higher than the crime rate for the whole state which FBI figures indicate is 2,078.4; and (3) the Fargo Police Department is the largest police agency in North Dakota.

The Red River Region consists of 10 counties with a total population of 143,527, representing 25 percent of North Dakota's population. The Red River Region contains the city of Grafton and Walsh and Pembina counties, with populations of 5,946, 10,728 and 16,251 respectively. The Red River Region was chosen as a representative regional sample because: (1) it is primarily rural; (2) it has a low crime rate, middle income population and average local criminal justice expenditures; and (3) it receives an average amount of Safe Streets funds compared with the other two case-study regions. The Red River Region was also selected because it shares a regional criminal justice planner with another region. Pembina County was selected as one of the representative counties in the region because of the population impact of the ABM sites.

The South Central Dakota Region was included in the sample as a control region because of its geographical location and because it received the lowest amount of Part C funds in 1973 of the three case-study regions. The South Central Dakota Region has a total population of 78,965, 12 percent of the state's population. The region: (1) is primarily rural; (2) possesses a low crime rate and a low-income population, and (3) manifests average local criminal justice expenditures.

Telephone interviews were conducted with local elected and criminal justice officials in Mercer, Williams and Stark Counties as well as with officials in the cities of Dickinson and Williston in the western part of the state, in order to bring geographical balance to the sample as well as to present various points of view on the Safe Streets program.

Ohio

Ohio is a large, urban state linking the industrial East with the industrial Midwest. Its population of 10,791,981 people ranks sixth among the states. There are 14 Standard Metropolitan Statistical Areas (SMSAs) within Ohio.

In 1973, Ohio ranked 26th in reported index crimes, with a rate of 3,496.2 crimes per 100,000 population (an increase of 1.7 percent since 1972). In the six high-crime counties of Cleveland-Cuyahoga, Columbus-Franklin, Cincinnati-Hamilton, Toledo-Lucas, Dayton-Montgomery and Akron-Summit, the crime rate decreased by 0.7 percent in 1973, from 4,544.8 to 4,512.4 per 100,000 population. In the 82 lower-crime counties, the crime rate increased by 6.4 percent, from 2,411.7 to 2,567.2 per 100,000 population, during the same period.

The state's major crime problem is violent crime. Although offenses of this type decreased by 2.5 percent in 1973, they have shown an overall increase of 17.6 percent since 1969. Property crime increased by 11.0 percent during this period, with burglary accounting for the greatest portion of the increase.[1]

Operation of the Safe Streets program is largely decentralized in the state. Joint city-county regional planning units (RPUs) have been established in six of the major metropolitan areas. Each of these units has considerable decision-making authority in regard to the use of Safe Streets funds.

THE CRIMINAL JUSTICE SYSTEM

Total direct criminal justice expenditures in Ohio amounted to $422.4 million for fiscal years 1972 and 1973. Units of general local government accounted for 69 percent of the expenditures. Of the state's direct outlays (approximately $141 million), 61 percent was spent for corrections; 30 percent, for police protection; five percent, for the judiciary; four percent, for prosecution; one percent, for other criminal justice purposes; and nothing for indigent defense. Local government direct expenditures (approximately $321 million) were distributed as follows: 67 percent, for police protection; 18 percent, for the judiciary; 10 percent, for corrections; five percent, for prosecution; 0.7 percent, for indigent defense; and 0.2 percent, for other criminal justice purposes.[2]

In Ohio, law enforcement is undertaken by local governments and 1,169 local general purpose agencies. An elected sheriff, the chief law enforcement officer, provides services to all unincorporated areas and, by contract or agreement, to incorporated areas. Police protection is provided to resident jurisdictions—and other jurisdictions where contracts, agreements or multiple enforcement groups have been established—by municipal police officers, marshals and constables. Two state agencies have major law enforcement responsibilities. The Highway Patrol, within the Department of Public Safety, is responsible for the enforcement of laws relating to the use of vehicles on the highways and for the management of the statewide Law Enforcement Automated Data System (LEADS). The Bureau of Criminal Identification and Investigation (BCI&I), within the attorney general's office, investigates organized and drug-related crime, operates a forensic laboratory (for the use of state and local law enforcement agencies) and collects criminal records and disposition data.

The Ohio court system includes: the Supreme Court and courts of appeal (courts of appellate jurisdiction), common pleas courts (courts of general jurisdiction), and municipal and county courts (courts of limited and special jurisdiction). The chief justice of the Supreme Court exercises general superintendence over the courts and has widespread authority over court practices and procedures. The justices of the Supreme court appoint an administrator to assist the chief justice in these duties.

The Supreme Court's seven members are elected by the public for staggered six-year terms. Approximately 300 judges, each nominated in a partisan primary and elected by a separate, nonpartisan judicial ballot (for six-year terms), serve in the courts of common pleas.

Criminal offenses are prosecuted by county prosecutors, who are elected to four-year terms in partisan elections in each of Ohio's 88 counties. Ohio law does not require that prosecuting attorneys work full-time; therefore, many also engage in private practice.

Each municipality has a prosecutor, city solicitor or law director. These persons, either elected or appointed, are responsible for the prosecution of misdemeanors and ordinance violations. The state attorney general handles civil cases and rarely becomes involved with criminal prosecutions.

Two major developments have occurred recently in the Ohio courts system. In January 1974, Ohio's revised criminal code went into effect, instituting specific criteria to determine the length of time between a suspect's arrest and trial. In 1975, the state's first public defender program was established by law. Previously, defense services for indigents had been provided primarily through the assigned-counsel system. The state's Department of Rehabilitation and Correction administers all state correctional institutions and services (including parole and probation). Local corrections—the operation of jails and detention facilities—are the responsibility of county sheriffs. Some counties operate their own probation departments.

The Ohio Youth Commission operates all of the state's facilities for delinquents. The juvenile courts 476 within the courts of common pleas, administer juvenile-detention homes. County juvenile probation departments administer juvenile probation services. Youths released from the custody of state institutions are placed under the supervision of the Bureau of Juvenile Placement, the parole agency of the Ohio Youth Commission.

THE STATE PLANNING AGENCY

The Ohio state planning agency (SPA) includes the Criminal Justice Supervisory Commission (CJSC) and its administrative arm, the Administration of Justice Division (AJD) of the Department of Economic and Community Development. Established by executive order of the governor, both bodies are mandated to plan and oversee the expenditure of funds awarded to the state under the Safe Streets Act.

The commission is the recognized policy-making body for the Safe Streets program in Ohio. Its responsibilities include: approval of the annual state plan and subsequent amendments; approval of guidelines, policies and priorities for planning activities; and development of criminal justice standards and goals for Ohio.

The CJSC consists of not more than 40 members, appointed as follows: (a) six chosen by the supervisory boards of the RPUs; (b) eight state officials serving in an ex officio capacity (the chief justice, the attorney general, the state auditor, and representatives of the Ohio Youth Commission, the State Highway Patrol, the Department of Rehabilitation and Correction, the Department of Mental Health and Retardation and the Ohio Civil Rights Commission); (c) 17 members-at-large appointed by the governor to represent local government, agencies outside the criminal justice system, and the general public; and (d) nine local criminal justice officials appointed by the governor.

Table 1

Governmental Representation
Ohio Criminal Justice
Supervisory Commission

May 1975

	Number	Percent of Total
State	13	37
Local	14	40
Public	8	23
TOTAL	35	100

Source: FY 1976 Ohio planning grant application.

Members serve staggered three-year terms. Gubernatorial appointments are made from recommendations submitted by the SPA. Tables 1 and 2 illustrate the diversity of the present membership in terms of level of government, the general public and criminal justice functional areas. Four members of the present commission are elected local officials.

The CJSC operates under an approved set of bylaws. All members may send representatives, but

Table 2

Functional Composition
Ohio Criminal Justice
Supervisory Commission

May 1975

	Number	Percent of Total
Police	7	20
Courts	6	17
Corrections	2	6
General Government	9	26
Other Public	11	31
TOTAL	35	100

Source: FY 1976 Ohio planning grant application.

only representatives of the eight ex officio members are permitted to vote. On the average, according to the SPA staff, 65 percent of the members attend the monthly commission meetings.

The governor appoints a member of the commission to serve as chairman. The chairman appoints the vice-chairman and the chairmen of the functional area task forces. An executive committee, consisting of the chairman, the vice-chairman and the chairmen of the task forces, conducts commission business between meetings.

The commission established task forces for each of the major functional areas of courts, corrections, juvenile delinquency, law enforcement, diversion and system development. The task forces play an important role in plan approval, policy development and priority-setting; however, final decision-making power formally rests with the full commission.

The AJD consists of operational bureaus that correspond to the major activities of the division. These bureaus—planning and research, project review, and grants management—have 65 authorized professional staff positions. Most AJD professional staff members are non-certified state employees subject to removal from their positions without cause.

The head of the AJD is officially a deputy director of the Department of Economic and Community Development. Although appointed by and serving at the pleasure of the governor, the deputy director reports to the director of the department. Because of changes in state administration, the AJD has had four deputy directors since 1969.

The AJD staff plays an important role in planning and funding decisions. In general, the commission accepts staff recommendations when approving the annual action portion of the state plan, which earmarks funds for specific activities. After the state plan has been approved by LEAA, only the AJD staff review the formal applications for funds.

Although the governor appoints the head of the SPA and most of the commission members, the SPA director does not have a direct reporting relationship to the governor and his contact with the governor's office appears to be minimal. The influence of the governor's office in the program has been insignificant in the past, but there is some speculation that this posture might change under the administration of Governor James A. Rhodes.

The primary involvement of the state legislature with the SPA is through the process of appropriating matching and buy-in funds. Four legislators currently serve on the CJSC. According to one legislator interviewed, while these members are a valuable link with the SPA, many legislators feel basically excluded from the program. Although there have been no major difficulties in obtaining the required state match to date, the state's lawmakers do not seem to be aware of their implicit commitment to assume the costs of long-term state agency projects.

The role of the SPA in influencing substantive criminal justice legislation is slight. Although the SPA staff occasionally drafts legislation (such as the bill to establish a statewide public defender program) and provides advice to various legislative committees, these activities do not represent a major effort and are generally coordinated through the Legislative Liaison Office of the Department of Economic and Community Development. The commission has abstained from taking positions on legislative issues in most instances.

The state attorney general is an ex officio member of the CJSC. Although the Bureau of Criminal Identification and Investigation, located in the attorney general's office, is a major recipient of Safe Streets funds at the state level, the attorney general does not play a major role in the program and does not exert any special influence on or leadership of the commission.

The State Office of Management and Budget (OMB) reviews state criminal justice agency budget requests to the SPA in order to recommend the appropriation of general fund matching monies and reviews and comments on pre-applications through the A-95 clearinghouse process. The SPA does not work with OMB on state agency budget reviews nor does it provide monitoring and evaluation reports on state agency projects to OMB. In general, the SPA and the OMB have a positive working relationship. The only issue on which there is basic disagreement is the amount of funds that must be appropriated each fiscal year to meet the state's buy-in obligation. (OMB does not want to request an amount greater than that which will be expended.)

The heads of all major state criminal justice agencies are ex officio members of the commission. However, state agencies rarely look to the SPA for assistance in areas other than application development or guideline interpretation. Line personnel in the state agencies have a positive working relationship with the SPA during the grant application process. During the planning process, the SPA generally accedes to the priorities and needs presented by each state agency in its pre-application. The SPA director attributed the low rejection rate to the fact that the SPA's planning guidelines (called "directives") are explicit and state agency requests generally conform to the funding criteria and parameters set forth.

The SPA director believes that his agency enjoys a partnership with other state criminal justice agencies in its role as a planning unit. However, field interviews indicated that the major state criminal justice agencies view the SPA as a conduit of Federal funds, rather than a comprehensive criminal justice planning agency.

REGIONAL PLANNING UNITS

Initially, the Ohio SPA established 15 regional councils of government to carry out the mandates of the 1968 Safe Streets Act. At that time, Part B planning funds were allocated to staff each region with one or more criminal justice planners. In 1971 the SPA assessed the effectiveness of this system and found that the interests of major urban centers were often subordinated to those of suburban and rural jurisdictions and that the planning monies available were not sufficient to adequately staff 15 regions. The second problem was due in part to the 1971 Safe Streets Act amendments that made all major units of general local government eligible for direct planning assistance. Because of the large numbers of cities and counties in Ohio with populations over 250,000 and 500,000, the SPA could not fund the 15 regions and all the eligible localities from its Part B allocation. Consequently, the SPA decided to disband the regions and encouraged the development of six new regional planning units (RPUs) in their place.

Each RPU encompasses one major city and its surrounding county (including the other incorporated areas and townships within the county). The six RPUs—Akron-Summit County; Cincinnatti-Hamilton County; Cleveland-Cuyahoga County; Columbus-Franklin County; Dayton-Montgomery County; and Toledo-Lucas County—accounted for 50 percent of the state's population and more than 60 percent of its reported index crimes for 1973.

The remainder of the state was divided into four administrative planning districts (APDs) encompassing 82 counties. APDs receive planning assistance directly from the SPA staff.

The RPUs' city-county planning approach provides an effective planning structure for criminal justice systems (police, courts and corrections) and the special needs of major urban jurisdictions.

Each RPU receives Part B planning funds. The RPUs' professional staffs, ranging from five to 10 persons, operate under the direction of coordinating councils, supervisory bodies representative of criminal justice, governmental and citizen interests (see Table 3). The six RPUs function as "mini-SPAs" and are responsible for grants management, monitoring and planning for their respective jurisdictions. Each RPU submits an annual criminal justice plan to the SPA. State approval of the regional plan entitles the RPU to receive an action block

Table 3

RPU Supervisory Board Membership

May 1975

RPU	Total	Number Elected	Percent Elected
Akron-Summit County*	33	11	33
Cincinnati-Hamilton County*	30	6	20
Dayton-Montgomery County*	39	15	38
Columbus-Franklin County	32	18	56
Cleveland-Cuyahoga County	33	17	52
Toledo-Lucas County	29	15	52

*These three RPUs meet the majority elected officials provision of the Safe Streets Act by operating under the umbrella of a regional council of governments that has a policy body consistent with the requirement.

Source: FY 1976 Ohio planning grant application grant to implement the projects described. Review and approval of individual projects are the responsibility of the RPU.

The Criminal Justice Coordinating Council of Greater Cleveland (CJCC) illustrates the organization of Ohio RPUs. Established in May 1972 by an agreement between the City of Cleveland and Cuyahoga County, the council superseded a seven-county substate planning region of the Ohio SPA. The 33-member council is broadly representative, as shown in Table 4, and consists of executive and working committees. Each working committee defines the planning priorities and goals for a particular criminal justice functional area. The executive committee, consisting of two representatives each from the county and the city and one citizen, selects the projects recommended for funding in the regional plan.

The CJCC staff includes specialists in the areas of law enforcement, juvenile corrections, courts and adult corrections.

SAFE STREETS PLANNING

Although a number of state agencies had internal planning staffs prior to 1968, the Safe Streets program initiated the first statewide attempt at criminal justice planning in Ohio.

The Ohio SPA's planning approach emphasizes the participation of local units of government and state criminal justice agencies in the planning process. The state plan consists of separately identified state and local projects. Funding decisions are made during the planning process, not during the grant review period subsequent to plan approval. This project-specific approach facilitates more efficient management, the timely award of grant funds and a high degree of plan implementation.

Each year the SPA develops planning directives that outline program categories, types of projects eligible for funding, priorities established by the commission within each program area, special requirements for particular programs and the National Advisory Commission standards to which each program relates. The directives are the SPA's major means for guiding and shaping the state plan.

Although the SPA has revised its program categories frequently in the past, it now uses a simple, consistent and flexible program structure. There are six major functional categories: police effectiveness; prevention, diversion and community relations; juvenile delinquency; system development; improvement of the judicial process; and adult correction and rehabilitation. Within each functional category, a number of program types are identified. For example, in the FY 1976 directives, a specific program type within the functional category "Prevention, Diversion and Community Relations" is "Special Security Programs for High-Crime Areas."

Table 4

Functional Composition
Cleveland-Cuyahoga County Criminal Justice Coordinating Council

May 1975

	Number	Percent of Total
Police	4	12
Courts	6	18
Corrections	3	9
General local government	11	34
Public	9	27
TOTAL	33	100

Source: FY 1976 Ohio planning grant application.

Within each major functional category, the commission has established priorities by indicating the kinds of projects it wishes to encourage. For example, in the FY 1976 directives, a priority in the "Improvement of the Judicial Process" category is the establishment of organized public defender services in Ohio's metropolitan areas and elsewhere in the state (on a multi-county basis).

The directives include any new policies adopted by the commission that further narrow the range of activities eligible for funding. For example, the commission will not support basic police training projects, which are mandated by state law and are the financial responsibility of local governments. Nor will the commission fund basic equipment except as part of an innovative program or communications project. In addition, the directives list restrictions or special requirements applicable to particular programs. (For example, funding for juvenile delinquency prevention projects is restricted to year-round efforts.)

The SPA reserves 25 percent of its total Part C block grant award for use by state agencies. Under the variable pass-through provision of the Safe

Streets Act, it can retain up to 31 percent of the funds at the state level. There are no specific formulas or criteria for the distribution of funds among state agencies; however, each agency expects to receive the same level of funding each year.

Nearly 75 percent of the Part C funds is allocated among the RPUs and APDs by a formula that weights reported index crime twice as heavily as population. Under this formula, 57 percent (approximately $10.0 million) of the FY 1975 Part C funds available for local governments was distributed to the six RPUs and 43 percent (approximately $7.5 million) to the four APDs (see Table 5). Although the allocation formula does not appear to be an issue in Ohio (it has remained constant since the program's inception), one interviewee suggested that a formula that took available victimization data into account would be more equitable to large urban areas such as Cleveland-Cuyahoga County.

480 Each RPU was given the opportunity to address the question of funds allocation in an ACIR questionnaire mailed to all RPUs.* Of the five replying, only one (Cleveland) thought that its region did not receive a fair share of funds compared with other RPUs.

Every year a small portion of the Part C block funds ($300,000 in FY 1976) is set aside for "special incentive funding." Incentive funds are used to encourage projects in high-priority areas (evaluation and minority recruitment, in FY 1976) and are available to state and local agencies on a competitive basis.

Part E funds (designated for corrections) are awarded on a statewide competitive basis to state and local agencies. Although there is no requirement for the state to pass through any Part E funds to the local level, Ohio generally awards about 30 percent of its Part E monies to local programs. (The state accounts for about 74 percent of all direct expenditures for corrections.)

Functional balance in the state plan is assured by the requirement that the distribution of funds among projects in each RPU and APD must fall within fixed percentages for each of the major substantive areas. Thus, the FY 1976 directives require that a minimum of 20 percent of the funds be allocated to law enforcement; 15 percent, to courts, prosecution and defense; 20 percent, to adult corrections; and 20 percent, to juvenile delinquency. No area may receive more than 40 percent of the total RPU or APD allocation. In addition, the commission prohibits the use of more than 7.5 percent of the state agency and APD portion of the Part C block grant for drug abuse and alcoholism treatment and rehabilitation programs.

Interviews with regional and local officials revealed little dissatisfaction with the planning restrictions and requirements set forth in the directives. Although the state defines eligible program areas and places some restrictions on them, there does not seem to be any objection to its role. Directives have changed very little from year to year. Applicants understand and accept funding parameters and have learned to work within them. Several local officials stated that the directives simplified their tasks by telling them how to tailor their applications. The program categories are sufficiently broad and flexible that projects can be manipulated to dovetail with SPA priorities and funding criteria, the officials said.

Responses to an ACIR local questionnaire projected a different attitude. Of the 84 respondents, 56 (67 percent) stated that restrictions and requirements with regard to the use of Safe Streets funds had adversely affected their jurisdiction's ability to carry out criminal justice programs. The most frequently cited complaints concerned two areas of funding: the state's funding minimums for functional areas and the limitation of the use of action funds for personnel to one-third, as required in the Safe Streets Act.

In sum, the directives, although not prescriptive in terms of specific activities, do provide an overall framework for the development of the state plan. The SPA has attempted to strike a balance between the need for statewide goals and the need to remain responsive to local needs and priorities.

State and local agencies submit pre-applications to the SPA based on the categories, program types and funding criteria outlined in the directives. The pre-application is a short statement of project objectives, methods and costs. RPUs review pre-applications from their member jurisdictions and incorporate them into the overall regional plan. Because each RPU can anticipate its funding allowance, it includes projects for above-the-line (within the form-

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*In June 1975, ACIR mailed a questionnaire to all criminal justice regional planning units in the country. By October, responses had been received from five of the six Ohio RPUs. In order to probe the attitudes of local elected officials, questionnaires were sent to all cities and counties of 10,000 or more population. By October, 70 of the 142 Ohio cities and 25 of the 87 counties of which the survey was mailed had responded, for a response rate of 49 percent and 29 percent, respectively.

Table 5

Planned Formula Distribution of FY 1975 Part C Funds to RPUs and APDs in Ohio

RPUs	1972 Estimated Population	Percent of State	1973 Crime Index	Percent of State	FY 1975 Part C Allocation	Percent of Local Pass-through
Akron-Summit County	557,697	5.2	26,049	7.0	1,114,246	6.4
Cincinnati-Hamilton County	928,614	8.6	42,886	11.4	1,840,121	10.5
Dayton-Montgomery County	622,723	5.8	25,636	6.8	1,136,611	6.5
Columbus-Franklin County	863,554	8.0	40,293	10.7	1,724,033	9.8
Cleveland-Cuyahoga County	1,722,050	16.0	69,496	18.5	3,099,592	17.7
Toledo-Lucas County	485,397	4.5	26,809	7.8	1,098,774	6.3
APDs						
I	1,249,216	11.8	32,692	8.7	1,696,027	9.7
II	1,969,949	18.4	53,392	14.2	2,731,862	15.6
III	1,019,418	9.5	29,268	7.8	1,464,776	8.4
IV	1,373,381	12.7	28,603	7.6	1,635,828	9.3
TOTAL	$10,79[illegible]981	100.5	375,124	99.9	$17,541,870	100.1

Source: Ohio's 1975 comprehensive criminal justice plan.

ula allocation to the RPU) and below-the-line (greater than the formula allocation to the RPU) funding. This system is used because when regional plans are prepared, the amount of Federal funding to the state is not known.

The SPA generally respects regional decisions that observe the criteria set forth in the directives. Local governments within APDs and state agencies submit pre-applications directly to the SPA.

The SPA staff reviews pre-applications and makes recommendations to the appropriate commission task forces. Although the final decision to include a project in the state plan rests with the full commission, SPA staff recommendations are generally accepted. As a result, representation on the commission is less important in planning and funding decisions than the applicant's relationship with the SPA staff. APD jurisdictions are largely dependent on the expertise and assistance of the SPA staff field teams assigned to their areas.

Plan Comprehensiveness

The planned distribution of FY 1975 Part C funds among the principal functional components of the criminal justice system was as follows: law enforcement, 21 percent; prevention and diversion, 9 percent; juvenile delinquency, 25 percent; system development, 12 percent; courts, prosecution and defense, 13 percent; and adult corrections, 19 percent. To meet statutory and LEAA requirements that Part C corrections funds not be reduced because of the availability of Part E monies, the SPA allocated approximately 40 percent of its Part C appropriation to juvenile and adult corrections.

Some courts personnel have expressed the opinion that the judicial component of the system is not receiving a fair share of the funds. These persons considered the courts, prosecution and defense functional components as three distinct entities that should not be linked together in funding allocations. The chief justice of the State Supreme Court thought that the Ohio courts have been generally well-treated in the program, particularly in comparison with other states.

Planning Funds

Forty percent of the total Part B planning funds received by Ohio is allocated to the six RPUs. Each RPU receives a base allocation of $100,000. The remainder of the funds is distributed on the basis of

Table 6

Part B Allocations to the Six Ohio RPUs FY 1976*

RPU	FY 1976 Part B Allocations
Akron-Summit County	$157,719
Cincinnati/Hamilton County	182,804
Cleveland/Cuyahoga County	234,793
Columbus/Franklin County	178,824
Dayton/Montgomery County	161,355
Toledo/Lucas County	153,705

*Based on 12 months.

Source. FY 1976 Ohio planning grant application.

population. Regional planning grants are made from Federal funds and do not require local match (see Table 6).

Some objections to the funding allocation formula were raised during the interviews. The Cleveland-Cuyahoga RPU suggested that the formula should take crime rates and the amount of Safe Streets action dollars received into account, rather than basing allocations on population alone. Four of the five RPU respondents to the ACIR questionnaire stated that the SPA should pass through to the regions more than the required 40 percent minimum. Nevertheless, by limiting the allocation of Part B funds to the six major areas, the SPA has insured that each RPU has at least the minimum staff capability necessary to perform its required functions.

Units of local government in the APDs receive no direct planning funds. They receive technical assistance from the state staff assigned to their area. Some local governments in these areas prefer to have their own local or regional planning staff, but funds are lacking. The SPA targets Part B money solely to the major urban areas. If funds were distributed evenly to all localities, none would receive an adequate amount.

The remaining 60 percent of the Part B allocation (approximately $1.6 million) supports the operation of the SPA. The SPA considers the amount of currently available planning funds inadequate. Monitoring and evaluation activities have suffered as a result.

SAFE STREETS FUNDING

Block grant awards (Part C and E) to Ohio have increased from $1,057,515 in FY 1969 to $27,250,000 in FY 1975 (see Table 7). This amount accounts for approximately seven percent of the state's total yearly criminal justice expenditures.

Distribution and Use of Funds

Ohio awards about 700 grants to state and local government and nonprofit agencies for crime reduction and system improvement projects annually. The ACIR field team reviewed a sample of grants awarded in calendar year 1974 to determine the nature of activities supported by Safe Streets funds in Ohio. Every fourth grant was selected for review, regardless of the fiscal year of funding.*

Table 8 shows the distribution of Safe Streets funds by classification of the grantee. Sixty-six percent of the funds and 81 percent of the grants in the sample were awarded to city or county governments, reflecting the strong role localities play in Ohio's Safe Streets program.

Ohio is required to make about 69 percent of its total Part C funds, a proportion equal to the local share of criminal justice outlays, available to localities under the variable pass-through provision of the Safe Streets Act. Fifty-eight (62 percent) of the ACIR questionnaire respondents from Ohio cities and counties with populations greater than 10,000 said that the pass-through formula did not reflect an equitable balance between state and local needs and that more funds should be made available for local programs. The SPA contends that the existing pass-through requirement, based on the relative levels of state and local expenditures, provides the most appropriate division of resources.

Only 25 percent of the funds and 13 percent of the grants in the sample were allocated to state agencies. As in eight of the nine other case study states, grants to state agencies are fewer in number but higher in average dollar allocation than those to local agencies. The 10 percent of the funds awarded to other agencies generally consisted of grants to government councils and RPUs for coordination of specific activities of local governments within their jurisdiction.

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*See Chapter VIII for a description of the methodology employed in this analysis.

Table 7

Safe Streets Funding to Ohio
FY 1969-1975

	FY 1969	FY 1970	FY 1971	FY 1972
Part B	803,350	911,000	1,164,000	1,625,000
Part C	1,057,515	9,563,000	17,645,000	21,385,995
Part E			1,292,000	2,520,000
TOTAL	$ 1,860,865	$10,474,000	$20,101,000	$ 25,530,999

	FY 1973	FY 1974	FY 1975	Total
Part B	1,810,000	2,216,000	2.434,000	10,963,350
Part C	24,820,995	24,820,995	24,382,000	123,675,504
Part E	2,920,000	2,920,000	2,868,000	12,520,000
TOTAL	$29,550,995	$29,956,995	$29,684,000	$147,158,854

Source: Ohio FY 1975 comprehensive criminal justice plan.

Table 8

Recipients of Action Funds
1974 Grant Sample

Recipient	Number of Grants	Percent of Grants	Amount of Funds	Percent of Funds	Amount of Average Grant
State	23	13	1,624,963	25	$79,347
County	78	45	2,440,484	37	31,288
City	63	36	1,932,828	29	30,680
Other	11	6	676,678	10	11,516
TOTAL	175		$6,674,953		

Table 9

Recipients of Part C and E Funds in Ohio
FY 1972-1974

	FY 1972	FY 1973	FY 1974
	%	%	%
State	35	34	41
City	21	27	23
County	42	41	34
Private	1	-	-

Source: LEAA Grants Management Information System (GMIS) data.

Table 10

Primary Activities Supported with Action Funds
1974 Grant Sample

Primary Activity	Number of Grants	Percent of Grants	Amount of Funds	Percent of Funds
Equipment	50	28	1,309,984	20
Construction	2	1	64,927	1
Services	101	57	4,613,087	69
Training	21	12	638,175	10
Personnel	1	1	48,780	1
TOTAL	175		$6,674,953	

Data from LEAA's Grants Management Information System (GMIS)* were used to verify these results. The figures presented in Table 9 confirm the
484 grant sample finding that local units of government receive the majority of Safe Streets funds. The table also shows that county governments receive a higher proportion of funds than city governments.

GMIS data were also used to determine the extent to which major cities received equitable shares of Ohio's Safe Streets funds. The five Ohio cities with populations of 250,000 or more (Cincinnati, Cleveland, Columbus, Akron and Toledo) collectively account for 21 percent of the state's population and 38 percent of the state's total 1973 index crimes. Yet, GMIS data show that Ohio cities of this size have received only 19 percent of the Part C funds available to localities. The major cities did not receive an appropriate share of Safe Streets monies when their crime rates and population were taken into account. The data also suggested that counties and smaller municipalities in the six RPUs received a greater share of Safe Streets funds than their crime rates and population warrant. (In Ohio, county governments have a broader range of criminal justice responsibilities than city governments do.)

To determine the kinds of activities supported with Safe Streets funds, the field team classified each grant into one of the five categories shown in Table 10.

Ohio, like the other case study states, used the bulk of its Part C funds for service activities; 69 percent of the funds (57 percent of the grants) in the

Table 11

Distribution of Action Funds by Functional Component
1974 Grant Sample

Functional Component	Number of Grants	Percent of Grants	Amount of Funds	Percent of Funds
Police	71	41	2,396,298	36
Courts	35	20	880,132	13
Corrections	23	13	1,019,703	15
Juvenile Delinquency	36	21	1,607,018	24
Drug and Alcohol	5	3	511,050	8
Combinations	5		260,752	4
TOTAL	175		$6,674,953	

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*For a discussion of the limitations and uses of the GMIS data, see Chapter V. Although not all awards have been recorded in GMIS, the data on Ohio for the three most recent fiscal years is reasonably complete: 94.9 percent for all FY 1972 C and E awards is included; 90.5 percent for FY 1973 funds; and 66.9 percent for FY 1974, as of August 1975.

sample supported activities of this type, a figure slightly greater than the 68 percent mean allocation for all case study states. Ohio awarded a higher percentage of dollars for equipment activities than eight of the nine other case study states. Twenty percent of the funds and 28 percent of the grants in the sample were awarded to projects of this type. Most equipment projects have been related to law enforcement communications or information systems improvement efforts. Although the SPA has no policy barring construction projects, the grant sample reflected the low priority status of activities of this type.

The ACIR field team also classified grants in the sample according to criminal justice functional component (see Table 11).

Like almost all of the other case study states, Ohio awarded more of its funds to the police than to any other single functional area within the criminal justice system. Although police projects received 36 percent of the funds in the sample, more than half of this amount ($1,332,509) was used to develop or upgrade communications and information systems.

Compared with the other case study states, Ohio awarded higher percentages of funds to juvenile delinquency and drug and alcohol programs, an average percentage to courts and a lower percentage to corrections.

Data from GMIS were used to verify the functional distribution findings of the grant sample. Although the figures shown in Table 12 are based on fiscal year funds rather than calendar year awards and the GMIS method of categorization differs from that used by ACIR in the grant sample, there is some degree of correlation between the two. The data in Table 12 show that the police have been the primary beneficiary of Ohio Safe Streets funds. However, their proportion of the total Part C awards has steadily decreased from the FY 1969 high of 54 percent to the FY 1974 figure of 34 percent.

The ACIR field team sought to determine the extent to which Safe Streets funds were used to support new and innovative programs, as opposed to routine activities. With the help of the SPA staff, the ACIR field team classified the grants in the sample into two additional sets of categories. The first reflects the degree to which the activities had been attempted prior to Safe Streets funding. The results of this breakdown (see Table 13) show that 93 percent of the funds was used for activities never attempted in the state or local jurisdictions prior to Safe Streets assistance. Only a small proportion of the funds (six percent) supported activities that had been attempted previously.

A second set of categories was used to assess the degree of activities supported by Safe Streets funds (see Table 14). Again, the overwhelming majority of funds (85 percent) was used to support new activities. The bulk of the remaining 15 percent of funds was used for the update and modernization of equipment—particularly communications and records systems. Ohio allocated a higher percentage of its Part C funds to new activities than any of the other case study states.

Ohio has awarded the bulk of its funds to local agencies and service projects. Although the police area received a greater share than any other functional area, juvenile delinquency and drug and alcohol programs were awarded a higher percentage of funds in Ohio than in most of the other case study states. Of all the case study states, Ohio awarded the highest percentage of its funds for new activities. Few grants were provided for routine activities or projects that had been previously attempted.

Grant Processing

Delay in processing action grants is not a major issue in Ohio. Of the 84 cities and counties responding to the ACIR survey, only 29 said that they had experienced major delays during the grant award process. Several of the respondents attributed delays to the lengthy period between submission of preapplications (occuring during state planning meetings) and the actual award of grant funds (after state plan approval by LEAA).

The SPA has developed a stable and effective system for reviewing and approving applications and disbursing funds. This project-specific planning approach minimizes the time involved in the award process by merging planning and funding decision-making. SPA staff members know before the grant award phase which applications to expect and the dollar amount that each will request. This approach eliminates funding decisions made on a first-come, first-served basis and limits the volume of applications.

Current SPA procedures require that every application for funds be acted upon within 90 days of receipt. If the SPA fails to complete the project review during the 90-day period, it must provide fund-

Table 12

Distribution of Part C and E Block Funds in Ohio
FY 1969-1974

Fiscal Year	Subgrant	Police				Courts				Corrections				Combinations				Non-CJ Agencies			
		No.	%	$ Amount	%	No.	%	$ Amount	%	No.	%	$ Amount	%	No.	%	$ Amount	%	No.	%	$ Amount	%
1969	Part C	55	68	497,282	54	4	5	26,530	2	6	7	99,961	10	13	16	173,611	18	2	2	119,466	13
	Part E	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
	Total	55	68	497,282	54	4	5	26,530	2	6	7	99,961	10	13	16	173,611	18	2	2	$119,466	13
1970	Part C	494	80	5,117,738	51	31	5	530,431	5	43	7	2.050,745	20	37	6	1,182,096	11	9	1	1,067,284	10
	Part E	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
	Total	494	80	5,117,738	51	31	5	530,431	5	43	7	2,050,745	20	37	6	1,182,096	11	9	1	1,067,284	10
1971	Part C	234	57	6,516,361	42	64	15	1,328,008	8	52	12	3,188,602	20	47	11	3,836,422	25	11	2	429,957	2
	Part E	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
	Total	234	57	6,516,361	42	64	15	1,328,008	8	52	12	3,188,602	20	47	11	3,836,422	25	11	2	429,957	2
1972	Part C	316	54	7,909,864	39	102	17	3,180,131	15	77	13	5,509,397	27	31	5	1,065,649	5	54	9	2,479,334	12
	Part E	0	0	0	0	0	0	0	0	29	100	2,561,530	100	0	0	0	0	0	0	0	0
	Total	316	51	7,909,864	34	102	16	3,180,131	14	106	17	8,070,927	35	31	5	1,065,649	4	54	8	2,479,334	10
1973	Part C	219	43	8,305,748	36	94	18	2,714,177	11	98	19	5,843,852	25	53	10	3,730,716	16	37	7	2,180,921	9
	Part E	0	0	0	0	0	0	0	0	19	100	2,330,165	100	0	0	0	0	0	0	0	0
	Total	219	42	8,305,748	33	94	18	2,714,177	10	117	22	8,174,017	32	53	10	3,730,716	14	37	7	2,180,921	8
1974	Part C	161	40	5,762,364	35	77	19	1,979,762	12	67	16	3,639,521	22	60	15	2,630,282	16	34	8	2,153,282	13
	Part E	0	0	0	0	0	0	0	0	21	100	2,393,944	100	0	0	0	0	0	0	0	0
	Total	161	38	5,762,364	31	77	18	1,979,762	10	88	20	6,033,465	32	60	14	2,630,282	14	34	8	2,153,282	11

Source: GMIS data.

Table 13

Prior Attempts of Activity
1974 Grant Sample

	Number of Grants	Percent of Grants	Amount of Funds	Percent of Funds
Never attempted anywhere	1	1	18,677	0.3
Never attempted in state	39	22	2,602,703	39
Never attempted in locality	108	62	3,628,951	54
Has been attempted in locality	27	15	424,632	6
TOTAL	175		$6,674,953	

ing regardless of the relative merits of the project. The SPA can, however, delay review by declaring a project "temporarily rejected" because of deficiencies. If deficiencies are corrected, the review period may continue for the number of days remaining at the time of temporary rejection. To date, the SPA has not been forced to fund any project because of the expiration of the 90-day period.

A-95 clearinghouse review is a negligible factor in the grant processing period. Regional consideration and state-level A-95 review of the state plan usually take place simultaneously. Both are completed before submission of the plan to LEAA.

Continuation Funding

The Ohio SPA has adopted a policy of continuation funding that permits a maximum of five years of support. The schedule of funding is as follows: the first three years at a 90/10 ratio, the fourth year at 60/40 and the fifth year at 30/70. (There are, however, some exceptions to this overall policy. One is the two-year limit on projects providing law clerks for judges.) The SPA estimates that commitments to continuation projects accounted for about 75 percent of the FY 1975 Part C funds. The SPA often prefers continuing successful projects, rather than initiating new ones. Because of the reduction in the FY 1976 block grant funds and the inflationary spiral of maintaining ongoing projects, little money is available for initiation of new program activity in the FY 1976 plan.

Few interviewees said that "good" projects had been discontinued as a result of the state's assumption-of-cost policy or the unavailability of other sources of financial support. However, a General Ac-

Table 14

Degree of Innovation
1974 Grant Sample

Degree of Innovation	Number of Grants	Percent of Grants	Amount of Funds	Percent of Funds
New	133	76	5,683,930	85
Expansion	8	5	197,981	3
Update	29	17	775,508	12
Routine	5	3	62,534	1
TOTAL	175		$6,674,953	

counting Office (GAO) 1974 report, "Long-Term Impact of Law Enforcement Assistance Grants Can Be Improved," stated that some meritorious projects in Ohio have been discontinued. According to the GAO study, of 42 long-term projects previously funded with Safe Streets monies, 22 had either terminated completely or were operating at a reduced level. State and local officials judged that 15 of the 22 projects merited continuation. GAO attributed the lack of cost assumption to inadequate financial planning, technical assistance and project evaluation.[3]

Some state and local officials anticipated that, in the near future, as the SPA's policy affects more and more projects, continuation funding will be a problem. Assumption of costs will be particularly difficult in the economically distressed areas of the state, such as the Appalachian portion of Southwest Ohio and the City of Cleveland. Cleveland, for example, faces a severe continuation problem because of economic difficulties and the termination of the Impact Cities program. Projects initiated with LEAA discretionary funds under that program must now be supported with block grant monies or other sources of support. The limited availability of Part C funds and the strain on the city's budget will probably mean that only projects that have demonstrated their merit will be continued with other funding sources. Marginal projects will be terminated.

The continuation issue and the commitment states and localities must make to assume project costs is having some impact on the willingness to develop new programs—particularly those with long-term funding implications. Because projects of this type are often programmatic and innovative, it is possible that continuation funding problems will encourage localities to undertake one-time projects for training, equipment and construction in their stead.

As in other states, opinion is divided in Ohio on the desirability of requiring subgrantees to assume project costs within a specific time period. Some interviewees thought that the Ohio policy was too stringent, particularly with respect to innovative programs that might not be able to demonstrate their value and cost-effectiveness within the alloted time period. Some thought that Safe Streets funds should be used to continue projects provided that the funds were available and the activities supported were meritorious. Others said that the state should adopt an even more stringent assumption-of-cost policy. All seem to agree that the SPA will continue to enforce its present policy and that some good projects will be lost. There is general agreement that the two most important factors in determining whether or not a project will be assumed are the proven success of the project and the financial resources available to the unit of government. The SPA has not yet developed effective methods for assessing projects.

Monitoring and Evaluation Efforts

The SPA and RPU staffs monitor Safe Streets projects and conduct on-site evaluations. Recipients are required to submit quarterly monitoring reports and a final progress report. The SPA administers a statewide data collection system. The SPA is supposed to use monitoring information to identify the need for technical assistance or difficulties with project implementation and to assist in refunding decisions. Although the SPA says that the information generated through the monitoring system is of some use in modifying project operations and affecting planning and funding decisions, the monitoring system is not sophisticated enough to generate sufficient information on a timely basis.

The SPA's evaluation capacity is limited. In mid-1975, the major thrust of the evaluation effort concerned the designation of $200,000 of the FY 1976 Part C funds as special incentive funding for evaluation projects. The SPA has received LEAA discretionary funds for one full-time evaluation/monitoring specialist, who is attempting to develop a mathematical model to assess criminal justice projects. RPUs are attempting to develop their own evaluation systems, but these, too, are in early stages.

In terms of the allocation of planning dollars and staff time, monitoring and evaluation are low priorities for the SPA. Consequently, neither activity is systematized or effective. Although the monitoring system may have potential in the long run, difficulties in data collection and administration of the data instruments have negated any possible impact on decision-making at the subgrantee or SPA levels. To date, neither evaluation nor monitoring efforts have been sufficient to generate project or program-level information that is relevant, timely and useful in decision-making.

Plan Implementation

One of the advantages of the project-specific planning approach is the comparatively high degree to which activities identified in the plan are implemented and carried through to completion. The SPA staff estimated that approximately 90 percent of the planned projects are implemented and completed. To the extent that plan implementation is an indicator of planning capability, the Ohio SPA rates very highly. The project-specific approach facilitates local planning efforts by advising state agencies, local governments and other subgrantees of the amount of funding designated for specific projects, before they make formal application. Because the state plan is project-specific, changes are sometimes necessary when an anticipated project is not implemented, a project to be funded is omitted or there are significant budgeting shifts. These "plan variations," after staff review and recommendation, must be approved by the commission. When additional dollars become available, the SPA staff consults an "approved-hold" list and generally recommends funding of projects that fall within the same category, at approximately the same cost. By keeping variations within program categories, the SPA minimizes the need for frequent amendment of the state plan. In FY 1972-1973, the SPA reallocated only six percent of its block grant funds within the program categories. Reasons for these reallocations included the inability of grantees to generate match, changes in local administration and shifts in subgrantee priorities.

Overlapping planning and funding periods—neither of which dovetail with state or local budget cycles—compound budgeting problems. Subgrantees develop and submit detailed applications for funding from one fiscal year's plan, while preparing preapplications for the next fiscal year's plan and implementing projects funded out of the previous fiscal year's plan. Although the Ohio SPA has compressed the lag between planning and funding to a comparatively short period, nine months to a year usually elapse between the time the subgrantee plans for and can implement his project.

Lapsed Funds

The amount of unexpended Federal funds that reverts to the Department of the Treasury is an indication of an SPA's planning and funding effectiveness. In FY 1972, Ohio reverted approximately $422,000 of its $21,385,000 Part C award (two percent) and $743,000 (31 percent) of its $2,520,000 Part E award. According to the SPA staff, the problem of reverted funds stems, at least in part, from applicants spending below their budgets—a result of staff hiring delays.

LEAA Discretionary Grants

Ohio received $14,362,000 in Part C discretionary funds and $7,735,000 in Part E discretionary funds from LEAA between 1969 and June 30, 1973, the majority of which was awarded to the Pilot Cities program in Dayton and the Impact Cities program in Cleveland.

The Dayton program, begun in 1970, was part of a nationwide effort by the National Institute of Law Enforcement and Criminal Justice (NILECJ). It represented an attempt at innovative, crime-oriented criminal justice planning. The Dayton-Montgomery County area received approximately $4 million for the program. LEAA terminated the program in June 1975 after evaluation indicated that its national benefits were too limited to justify continuation.*

The Impact Cities program was initiated by LEAA in 1972. Eight cities, including Cleveland, were selected to participate. LEAA committed $160 million to fund projects for two years that were designed to reduce specific stranger-to-stranger crimes of violence and burglary by 20 percent within five years. In Cleveland, an Impact board, consisting of the LEAA regional administrator, the mayor (the Impact director) and the head of the SPA, was established to coordinate the program. (The SPA and the RPU played nominal roles.) The city established its own Impact planning office and generally dealt directly with the LEAA regional office.

The national Impact program ended in July 1975 when LEAA discretionary funds were reallocated to new national priority efforts. Grantee cities are expected to continue successful Impact projects from Safe Streets block grant funds, general revenue sharing or city revenues. Overall, it is anticipated that many projects will be terminated. Cleveland hired additional police officers with some of its Impact money and was able to retain them (thereby avoiding a police strike) only by obtaining Federal manpower and community development funds. The city has already allocated its entire FY 1976 general revenue sharing allotment (approximately $15.5 million) for police salaries.

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*A separate evaluation of Pilot Cities was conducted by an outside research firm under contract to LEAA, between December 1973 and June 1975. This report was generally more favorable in its assessment of the program and concluded that the Pilot Team approach can be quite efficient as a means of introducing highly cost-effective changes.

Impact program funds enabled Cleveland to establish a sophisticated crime analysis and planning unit within the mayor's office. This helped to strengthen the chief executive's position with respect to the RPU. The unit, although greatly reduced in size, received a block grant award from the SPA for the continuation of the criminal justice planning, monitoring and evaluation section of the city's Department of Public Safety.

It is impossible to judge the extent to which political considerations have affected the award of discretionary funds. The fact that Cleveland's mayor was a Republican (one of the few big-city Republican 490 mayors) during a Republican administration in Washington might have been a factor in the selection of Cleveland as an Impact city; however, ample substantive and statistical data could also justify the decision. In the opinion of the Ohio SPA, LEAA discretionary fund awards have been used to supplement block grant funding rather than to obtain political support.

The extent to which fluctuation in leadership and priorities at LEAA has undermined its commitment to special emphasis or national priority efforts is a key issue with respect to discretionary funding. Cleveland officials thought that their program was highly successful, adding: "Just when we had something started, they [LEAA] terminated the program." LEAA officials point out that although the Impact program was never intended to go beyond a two-year action phase, funding was continued until June 1975 to allow the cities more time to expend the funds and facilitate gradual assumption of successful projects. The SPA expressed some dissatisfaction with LEAA's role in discretionary grants, such as Impact cities (in which the state normally plays a secondary role), but generally viewed its relationship with the LEAA regional office as satisfactory. No complaints concerning approval of the state plan, the use of special conditions or the role of LEAA's state representative were voiced.

IMPACT OF THE SAFE STREETS ACT

Ohio has received approximately $136 million of Safe Streets block funds since 1969. During this period, crime in the state increased by 11.5 percent, but whether crime would have increased by a higher percentage without Safe Streets funds is not known. Interviewees said that it was impossible to judge the impact of the Safe Streets program on crime rate and that the Safe Streets program should not be assessed on the basis of crime reduction. (Interviewees said that the causes of crime are too diverse and complex to be addressed by a program as limited as Safe Streets.)

Interviewees said that the program has improved coordination among the diverse elements of the criminal justice system. The creation of a forum where criminal justice officials can meet, exchange ideas and discuss mutual problems was cited as an example of this coordination.

Interviewees said that the Safe Streets program has stimulated improvements in the criminal justice system, although the extent and nature of improvements have not been adequately measured. Many examples of projects that had improved the quality of justice or had increased the operational capacity of individual agencies were cited. According to the SPA, improvements resulting from Safe Streets funds include: increased use of drug and alcohol detoxification centers; improved crime laboratories; increased public defender services; expanded training for criminal justice personnel; upgraded correctional services and treatment alternatives; and increased diversion of juveniles from the juvenile justice system. Major systems integration improvements included:

- The establishment of a statewide police radio communications network that has aided individual law enforcement agencies and has helped to coordinate law enforcement efforts between communities by facilitating communications across jurisdictional lines.
- The development of a Criminal Justice Information System (CJIS) to supply operational data for law enforcement, courts, corrections, probation and parole agencies, which will eventually provide a system for the sharing of information among criminal justice system agencies.

The SPA had had limited success in providing state and local governments with a comprehensive criminal justice planning system. It has established a successful framework for comprehensive criminal justice planning activities at the state and local levels, but more time and funds are needed to develop the staff expertise, the organizational processes and the statewide credibility necessary for comprehensive planning. The SPA has attempted to make comprehensive planning a reality for Ohio's major urban areas through the structure of the six joint city-county regions.

The SPA has not established significant credibility in the areas of policy development, comprehensive planning, technical assistance, research and evaluation. To date, it has been a dispenser of Federal funds, without which the agency would probably close. The SPA's emphasis on efficient delivery of Federal crime control dollars has been pursued at the expense of activities that might have had far-reaching implications for the state's criminal justice system and created a permanent role for the agency. However, if the development of an effective management system is a prerequisite of effective planning and evaluation, the Ohio SPA has now reached a point from which it can begin to broaden its role without impairing its duties as overseer of the expenditure of public funds. The Ohio SPA, by setting realistic, modest objectives, may have been preparing for the pursuit of more ambitious goals in the future.

SUMMARY OF MAJOR ISSUES

The most important characteristics of Ohio's Safe Streets program are the harmony that exists between the RPUs and their localities and the SPA, and the lack of controversy over the program's operation at all levels. The Ohio SPA has voluntarily delegated significant decision-making authority to the six urban city-county regions, established an equitable and consistent formula for allocating funds, and developed an efficient system for managing the Safe Streets grants process at the state level.

Some interviewees thought that the state has granted too much authority to the regions and has not provided adequate leadership in crime control planning and programming. It may be that Ohio, with a long tradition of strong local government and a large number of highly populated cities and counties, presents an environment suited to decentralized decision-making. The fact that Ohio cities and counties collectively span the entire range of criminal justice services makes this type of systemwide planning possible.

Major issues encountered in the Ohio program include the following:

1. **The Role of SPA Staff.** The SPA staff has considerable influence, particularly in project funding decisions in APD jurisdictions. Some APD localities object to their dependence on the SPA staff and would prefer their own local or regional planner. The SPA, lacking funds to support regional staffs in all areas of the state, has decided to use its Part B planning funds to staff six urban regions.

2. **Evaluation.** Activities supported by Safe Streets funds have not been adequately evaluated. Evaluation has not been a high priority for the SPA and insufficient planning funds have impeded the development of an effective system for this purpose.

3. **LEAA Discretionary Funds.** The SPA and the RPUs have played a minor role in the award and use of LEAA discretionary funds—particularly in the Cleveland Impact Cities program. With the termination of the program, many Impact Cities subgrantees will be seeking block grant support.

4. **Emphasis on Grants Management.** Efficient management of Federal crime control dollars has been a prime goal of the SPA. Some find this emphasis too narrow and argue that it has hindered the development of other capabilities—such as evaluation, research and comprehensive planning—that might have had long-term potential. However, it can also be argued that the SPA's objectives reflected performance expectations consistent with the state's resources and authority under the Safe Streets program.

The Ohio SPA's decentralized approach offers a unique model for Safe Streets planning and funding activities. The term "Ohio Plan" is now an accepted phrase in jargon. The "Plan" denotes a decision by state planners to delegate responsibility and authority to regional planning units that encompass a state's greatest population and highest crime rates. The underlying premise of the "Plan" is that crime problems can best be solved at the local level. It therefore advocates concentration of Safe Streets decision-making power at the local level.

FOOTNOTES

[1] Ohio, Department of Economic and Community Development, Administration of Justice Division, *Ohio's 1975 Comprehensive Criminal Justice Plan* pp. B5-B7.

[2] U.S., Department of Justice and U.S., Department of Commerce, *Expenditure and Employment Data for the Criminal Justice System, 1972-73* (Washington, D.C.: Government Printing Office, 1975), pp. 34-35.

[3] U.S., General Accounting Office, Comptroller General, *Long-Term Impact of Law Enforcement Assistance Grants Can Be Improved* (Washington, D.C.: Government Printing Office, 1974), pp. 20-21.

APPENDIX 1
Ohio Site Visits

The ACIR field team visited the Criminal Justice Coordinating Council of Greater Cleveland. This RPU encompasses the City of Cleveland, Cuyahoga County and 59 suburban municipalities (cities, villages and townships) within the county limits. The RPU includes 15 percent of the total state population and accounted for 18 percent of the state's total reported index crime in 1973. Cleveland is the largest city in Ohio, with a population of 690,000. It leads the state in reported index crimes, with a 1973 total of 42,140. Between 1972 and 1973, Cleveland experienced a decline in both population (down 2.8 percent) and crime (down 12.9 percent). The proportion of non-white, poor, and very young or very poor in its population is increasing. A steady erosion of its tax base has placed a severe strain on the city's ability to provide public services—including law enforcement. In contrast to the city's situation, the remainder of the country has experienced an increase in both population (up 1.9 percent) and crime (up 9.2 percent).

Other localities visited were the cities of Columbus, Springfield and Mansfield and the counties of Franklin, Clark and Richland.

The City of Mansfield and Richland County are located in Administrative Planning District I, in Northwest Ohio. Mansfield is the largest city in APD I, with a population of approximately 55,000. Together with the surrounding County of Richland, in 1973 it led the APD with 4,415 reported index crimes.

The City of Springfield and Clark County are located in APD III, in Southwest Ohio. Springfield is the largest city in the APD, with a population of 81,000. Together with its surrounding county (Clark) it led the APD with 6,080 reported index crimes.

The Columbus-Franklin Criminal Justice Coordinating Council serves the City of Columbus and Franklin County. Columbus is the state capital and has a population of 560,000. Franklin County (excluding Columbus) has a population of 318,000. In 1973, the county reported 30,788 index crimes.

Interviews Conducted in Ohio

State

SPA Staff

Bennett Cooper, Deputy Director
Col. Alphonso Montgomery, Asst. Deputy Director
Marie Furjanic, Acting Chief, Bureau of Planning and Research
David Henderson, Chief, Bureau of Project Review 493
Robert Dundon, Chief, Bureau of Grants Management
R. Thomas Mallory, Program Specialist
Charles E. Scales, Program Specialist
Seth H. Watterson, Program Specialist
Jeff Isralsky, Program Specialist
Roger Atwood, Program Specialist
Jerry Black, Acting Courts Planner
Steve Fried, Metropolitan Program Specialist
William C. Patterson, State Projects Specialist

Other State Officials

Judge Alvin Krenzler, Chairman, Ohio Criminal Justice Supervisory Commission
Thomas Rice, Asst. Deputy Director, Department of Mental Health and Mental Retardation
Richard Staff, Analyst, Office of Budget and Management
James Duerk, Director, Department of Economic and Community Development
Dwight Petty, Executive Assistant to the Attorney General
Jack MacCormack, Bureau of Criminal Investigation, Office of the Attorney General
C. William O'Neill, Chief Justice, Ohio Supreme Court
Paul Gillmor, State Senator
George F. Denton, Director, Department of Rehabilitation and Correction
Victor Copeland, Asst. Chief—LEAA Unit, Ohio Youth Commission

Col. Frank E. Blackstone, Superintendent, Ohio Highway Patrol

Capt. E. A. Overly, Planning and Research, Ohio Highway Patrol

Lt. Walter Liddle, Federal Programs, Ohio Highway Patrol

Michael Foley, Ohio Prosecuting Attorneys Associations

Eugene Jewell, Arson Bureau, Ohio Fire Marshall's Office

Regional

Cleveland-Cuyahoga County Criminal Justice Coordinating Council

Michael V. Schaffer, Director

Joseph E. Godwin, Assistant Director

Columbus-Franklin County Criminal Justice Coordinating Council

Paul Gatsch, Executive Director

Local

Franklin County

George Smith, County Prosecutor

Sheriff Harry Berkemer, County Sheriff's Department

Columbus

Major Wayne Rugh, Columbus, Police Department

Bernard Chupka, Safety Director, Columbus Police Department

Clark County

Darrell Howard, County Commissioner

Chief Deputy Tehan, Sheriff's Department

Judge Richard Henderson, Court of Common Pleas

Lynn Alexander, Adult Probation

Peter Pappas, Office of the County Prosecutor

Farrell Ballenger, Donald Bendure, Lynn Storcher, Juvenile Court and Probation Department

Gene Nevius, Director, Public Defender Services

Barbara Shanks, Administrative Assistant, Public Defender Services

Ray Jenkins, Information Systems, Public Defender Services

Roger Suver, Court Administrator, Court of Common Pleas

Springfield

Ted Thompson, Asst. City Manager

William Schlagle, Acting Chief, Police Division

Capt. Lucien Walters, Police Division

Fred Stauffer, Adult Probation, Springfield Municipal Court

Richland County

Shirley Whisler, Deputy Sheriff

Richard McFarland, County Commissioner

William McKee, County Prosecutor

Mansfield

Lt. Wayne Cairns, Mansfield Police Department

Mayor Richard A. Porter, Mansfield, Ohio

Ralph Smith, Asst. School Superintendent

Cuyahoga County

John T. Corrigan, County Prosecutor

Frank Pokorny, County Commissioner

James A. Janesz, Chief Probation Officer

Roger Hurley, Legal Aid Society

Cleveland

Capt. Thomas McGinty, Cleveland Police Department

Donald E. Jakeway, Impact Cities Program, Office of the Mayor

APPENDIX 2.

Responses to Local Questionnaires

Ohio

1975

Population Group	Counties Number Surveyed	Responding No.	Responding %	Cities Number Surveyed	Responding No.	Responding %
Over 500,000	5	3	60	2	2	100
250,000 - 500,000	4	2	50	3	2	67
100,000 - 249,999	10	3	30	4	3	75
50,000 - 99,999	25	6	24	12	7	58
25,000 - 49,999	29	7	24	28	16	57
10,000 - 24,999	14	4	29	99	40	39
TOTAL	87	25	29	148	70	47

Pennsylvania

A large industrial state, Pennsylvania ranks third in population in the country. More than 70 percent of its 12 million residents live in urban places (as defined by the U.S. Bureau of the Census in 1972), and the state is dominated by two major population centers—Philadelphia and Pittsburgh.[1] Despite its size, Pennsylvania stands 44th among the states in crime rate. In 1973, its reported index crime rate was 2,458.8, while crime indexes for the nation's most populous states (California and New York) were 6,304.9 and 4,306.7, respectively.[2]

Pennsylvania has 1,012 municipalities (cities and boroughs), 1,552 townships and 67 counties. (The County of Philadelphia is geographically coterminous with the City of Philadelphia and shares the same government.) Many of these localities are small: 15 percent of the counties have a population under 25,000, 62 percent of the cities have 2,500 or fewer inhabitants and 35 percent of the townships have fewer than 1,000 residents.[3]

Direct state and local expenditures for criminal justice amounted to $596.3 million in FY 1973. Local government outlays ($417.5 million) made up 70 percent of this total. The bulk of local funds (63 percent) was allocated for police protection. Of the remainder, 18 percent was allotted to the judiciary; 13 percent, to corrections; five percent, to prosecution; 1.4 percent, to indigent defense; and 0.2 percent, to other criminal justice services. Of total state expenditures ($188.8 million), 46 percent supported police; 12 percent, the judiciary; 39 percent, corrections; two percent, prosecution; none for indigent defense; and 1.8 percent, other criminal justice services.[4]

Factors bearing upon the selection of Pennsylvania for case study analysis included the state's urbanization, size and location; the predominance of local government in financing and delivering criminal justice services; and the decentralization of the Safe Streets program to regions.

THE CRIMINAL JUSTICE SYSTEM

The state's criminal justice system is both diverse and highly fragmented. Police protection is primarily the responsibility of local government, with local outlays accounting for about three-fourths of all expenditures for this purpose. Each county elects a sheriff, who has law enforcement powers, serves as an officer of the courts and, in some cases, also maintains the jail. In populous localities, municipal police departments enforce state and Federal laws as well as local ordinances. There are 1,062 local police departments in the state, of which more than 500 have five or fewer full-time, sworn personnel.[5]

In an effort to upgrade the caliber of law enforcement throughout the state, the general assembly established, in 1974, the Municipal Police Officer's Education and Training Commission, which sets minimum standards for basic police training and certifies training programs and facilities. The law specifically required that all police officers undergo a certified basic training course within one year of their employment. The commission's efforts are carried out by the state police.

The Pennsylvania State Police is the oldest organization of its kind in the United States. Headed by a commissioner appointed by the governor, it is responsible for enforcing both traffic and criminal laws. The state police provide direct law enforcement services to many of the state's rural areas and criminal investigation assistance to local agencies, on request. The state police operate a computerized information system, training academies and crime laboratories, which are available to local law enforcement agencies.

By a 1968 constitutional amendment, Pennsylvania established a unified judicial system under the administration of the State Supreme Court. Provision was made for three levels of courts: courts of initial jurisdiction (district justice courts and the Municipal Court of Philadelphia); courts of general trial jurisdiction (courts of common pleas); and appellate courts (the Superior Court, an intermediate appeals court, and the Supreme Court, the court of last resort). The Commonwealth Court, which handles government litigation, generally has either original or appellate jurisdiction in cases involving issues between citizens and the government and between governmental units.

Judges and justices for courts of record (general trial or appellate jurisdiction) are elected to an initial ten-year term of office in partisan contests. Subsequently, voters determine whether or not to retain the judge in office. The constitutional amendment also established a system of salaried district magistrates to replace the fee-based, justice of the peace system. Other reforms included: mandatory retirement at age 70 for all state judges, merit retention of judges after they have been elected to their first terms, a guaranteed right of appeal in all cases and the establishment of a Judicial Inquiry and Review Board.

The 1968 amendment assigned to the Supreme Court general supervisory and administrative authority over the courts and granted it power to prescribe rules governing practice, procedure and conduct, and to appoint a court administrator. The court administrator has general management responsibility for the court system, which includes collecting and interpreting statistical data, preparing court budgets and making recommendations for expediting litigation. Although the court system is administratively unified at the state level, local governments 498 (particularly counties) bear most of the financial burden. In FY 1973, localities spent $75 million on the judicial system compared with $21 million in state outlays for this purpose.

The attorney general, as chief state prosecutor and head of the Department of Justice, has authority to coordinate practices and policies among county district attorneys, who are elected officials responsible for prosecuting all criminal cases and representing the county in civil actions.

All counties provide legal services to indigent defendents, but few maintain full-time public defenders. In Philadelphia, defense of the indigent is provided by the Defenders' Association, a quasi-governmental agency supported by both the city and the United Fund.

The state's correctional system is fragmented, both functionally and jurisdictionally. Expenditures are almost equally divided between state and local government, with the state accounting for about 56 percent and localities for 44 percent. The Bureau of Corrections of the Department of Justice maintains a statewide system of adult institutions, a regional correctional facility, community service centers and group homes. Sixty-eight county jails and prisons operate independently of the state system and hold both pre-trial detainees and sentenced offenders. Pennsylvania is one of the few states in the country where a significant portion of convicted felons serve their sentences in locally operated institutions. The State Bureau of Correction has the authority to set standards, inspect and recommend improvements within these local jails and prisons, but it lacks enforcement powers.

The Pennsylvania Board of Probation and Parole has full responsibility for the parole and supervision of adult offenders sentenced for two or more years. The agency is authorized to conduct presentence investigations, establish statewide standards for county adult probation agencies and provide grants-in-aid to counties to improve their probation services. Local probation services are administered by the common pleas court of each county; adult and juvenile probation may be administered separately or together.

The State Department of Public Welfare oversees all juvenile correctional institutions, including 10 that are state-owned and operated and nine that are privately run with local government support. Until recently, two adult facilities also admitted juveniles. The attorney general terminated juvenile services at one of these institutions (Camp Hill) on Aug. 15, 1975. The Department of Public Welfare also operates a number of youth development centers, forestry camps and a day treatment center.

Juvenile probation services are primarily local functions administered under the aegis of the juvenile division of the court of common pleas and financed, for the most part, by county government. The juvenile court judge is responsible for the appointment of probation officers and the proper treatment of youthful offenders under his jurisdiction. Several counties maintain juvenile detention facilities. The state role in juvenile probation is carried out by the Juvenile Court Judges Commission, of the Department of Justice, which establishes personnel standards for county probation agencies.

THE STATE PLANNING AGENCY

When the Safe Streets program was inaugurated in 1968, Governor Raymond P. Shafer designated the Pennsylvania Crime Commission as the state planning agency (SPA) required under the act to plan for and receive block grants. The crime commission, initially established by statute to investigate organized crime and official corruption, divided its time between its normal investigative duties and Safe Streets responsibilities until April 1970, when the governor established the Pennsylvania Criminal Justice Planning Board to assume administration of the program. In 1971, the board was renamed the Governor's Justice Commission (GJC).

Table 1

Functional and Jurisdictional Composition of the Governor's Justice Commission

October 1975

Functional Areas	**Percent**
Police	12
Courts	6
Prosecution and Defense	12
Corrections	12
Juvenile Delinquency	25
Public	6
Other	25
Jurisdictions	
State government	50
Elected officials	25
Appointed officials	25
County Government	25
Elected chief executive or legislative officials	6
Elected law enforcement officials	12
Appointed officials	6
City Government	6
Elected chief executive or legislative officials	0
Elected law enforcement officials	0
Appointed officials	6
Public	19
Other	0

Source: ACIR 1975 Safe Streets survey.

The GJC is located within the Department of Justice and operates by authority of an executive order issued by Governor Milton J. Shapp on June 2, 1975. Its principal functions, defined in the executive order, are as follows:

- Preparing and revising the comprehensive statewide plan;
- Defining, developing and correlating all programs, projects and priorities to improve the criminal justice system in the state, including juvenile justice and delinquency prevention;
- Reviewing fund accounting, evaluation and monitoring procedures;
- Coordinating the state's law enforcement and criminal justice plan with other federally supported programs;
- Collecting, analyzing and interpreting crime statistics;
- Recommending legislation; and
- Supervising the administration and planning effort of the regional planning councils.

The executive order expanded commission membership from 12 to a maximum of 17 persons, under the chairmanship of the attorney general. The commission's members, appointed by the governor, represent law enforcement and criminal justice (including juvenile delinquency) agencies, units of general local government, and citizen, professional and community organizations. At the time of the field work, four of the 16 commissioners were state legislators. Only one commissioner was an elected official of general purpose local government. The attorney general, an appointed official, is the only ex officio member of the board (see Table 1).

Officials interviewed in Philadelphia, Pittsburgh and Allegheny County generally thought that their jurisdictions were not adequately represented on the commission. The two commissioners from Philadelphia were not associated with the city government. There are no local government officials (elected or appointed) from Pittsburgh or Allegheny County among the commission's members.

The GJC staff is organized into three major divisions: Program Support, State and Regional Operations, and Finance and Administration. A separate policy section reports directly to the executive director. Sixty-five persons staff the GJC state office in Harrisburg under the executive director, who is appointed by and serves at the pleasure of the governor. Since 1969, there have been four directors, each remaining for about one-and-a-half years.*

The GJC also has regional directors and support staff in each of eight regional offices. The regional director is a state employee selected by the GJC executive director and formally appointed by the governor. These officials are responsible for planning, organizing and administering the Safe Streets grants in their region and serve as liaisons between local governments, criminal justice agencies, private nonprofit groups and the commission. The state staff members work in tandem with the planners hired by the regional planning councils.

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*Subsequent to the ACIR field interviews, the attorney general requested and received the resignation of the GJC executive director, effective Oct. 1, 1975.

The governor appoints the supervisory board members of both the Governor's Justice Commission and the eight regional planning councils. The present governor appears to have little interest or involvement in the program. According to the former executive director, the governor seldom communicates directly with commission members and rarely offers recommendations concerning particular projects. However, if commission members are aware that a project under consideration has gubernatorial support, they may be influenced to make a favorable decision. Yet, according to the LEAA regional office, few such occasions actually arise.

Although the GJC is not a creation of the state legislature (the general assembly), there are several areas where the GJC and the legislature interact. 500 The legislature must appropriate state by-in and matching funds in order for the state to receive Safe Streets block grants. In 1975, the GJC found legislative approval of its request very difficult to obtain. Several legislators opposed the GJC-funded Special Prosecutor's Office, due to its investigations of alleged official corruption in Philadelphia. In addition, the GJC executive director believed that the problems were due to the state's tight financial condition and a lack of legislative understanding of the Safe Streets program.

The legislators on the Governor's Justice Commission (four as of mid-1975) serve as a valuable link between the general assembly and the GJC. One state senator (a commission member) said that the legislature used to be almost unaware of the Safe Streets program; he noted, however, that legislators (in particular, members of the appropriations committees) are now sensitive to the problems of continuation funding, scrutinize the use of Safe Streets funds and require that all Federal monies be identified during the budget hearings.

The GJC has played a limited role in substantive criminal justice legislative activities. The commission developed the proposal to establish a Municipal Police Training and Education Commission. The GJC staff has worked on two other bills—one setting up a victim's compensation program and the other limiting police use of logger-recording equipment. The staff has also been asked by the commission to draft a proposal of particular interest to the governor on security and privacy in criminal justice information systems.

Table 2

Size of Pennsylvania Regional Planning Councils

1975

Regional Planning Council	Number of Counties	Population
Allegheny	1	1,605,016
Central	16	1,031,363
Northeast	15	1,796,985
Northwest	14	964,410
Philadelphia	1	1,948,609
Southcentral	8	1,260,357
Southeast	4	1,917,201
Southwest	8	1,103,903

Source: FY 1976 Pennsylvania planning grant application; and U.S. Department of Commerce, Bureau of the Census, *1970 Census of Population*, pp. 24-25.

As chairman of the GJC and head of the Department of Justice, of which the GJC is a part, the attorney general has direct administrative control of all GJC staff activities. For example, the 1975 executive order was drafted by members of the attorney general's staff and approved by him prior to being signed by the governor. The attorney general also makes recommendations to the governor regarding appointees to the commission. Thus, the attorney general is a key agent in the Pennsylvania Safe Streets program. The present attorney general attends and chairs almost all commission meetings and, during critical periods such as appropriations hearings, is in almost constant contact with the GJC staff. He intends to change the commission's role from that of a reactive reviewer of grants to that of a pro-active policy-maker. As part of his leadership responsibility, the attorney general sponsored, in mid-October 1975, the first of a series of proposed seminars for commission members, key staff and regional chairmen and directors. The purpose of the seminar was to enable the group to exchange ideas and obtain a comprehensive overview of past and present problems while soliciting ideas for the future.

The role of GJC with respect to the state's other criminal justice agencies mainly involves the distribution of Safe Streets monies. Two agencies are particularly dependent on Safe Streets funds as a portion of their annual budgets—the crime commission and the Board of Probation and Parole. According to the former executive director, the GJC does not plan or evaluate state agency activities not supported with Safe Streets funds, nor does it play a role in reviewing and commenting on state agency budget submissions.

The 1975 executive order established a Juvenile Justice and Delinquency Prevention Advisory Committee in order to comply with the requirements of the Federal Juvenile Justice and Delinquency Prevention Act. The commissioner of children and youth in the Department of Public Welfare was empowered to review and approve (but not disapprove) "that portion of the Governor's Justice Commission State Plan dealing with the Improvement of Juvenile Justice and Prevention of Juvenile Delinquency before adoption of the Plan by the Governor's Justice Commission."[6] The GJC executive director is responsible for insuring coordination of the GJC staff and the Division of Children and Youth in the planning process.

REGIONAL PLANNING UNITS

From the outset of the Safe Streets program, Pennsylvania has utilized eight regional planning councils (RPCs) to assist in the planning for and administration of block grants (see Table 2). The RPCs generally conform to the six common human service regions established in 1968 by Governor Shafer, but two special regions were created for Allegheny County and the City of Philadelphia because these areas have significantly different crime problems than their neighboring counties and command a substantial amount of Federal funding.

Each regional council develops and adopts an annual plan, reviews and evaluates local grant requests, establishes regional priorities and policies, provides technical assistance to its member jurisdictions and makes recommendations to the GJC for the approval or denial of local applications. The RPCs establish their own bylaws, subject to the approval of the GJC executive director. The organization of the councils varies slightly from region to region; in general, each has an executive as well as several standing committees that consider grants in their respective areas. For example, the Allegheny County RPC has five subcommittees: evaluation, civil rights, information and communications systems, juvenile facilities and services, and application screening. These committees make recommendations to the full council concerning both individual applications and policy issues. Other RPCs are structured along more functional lines. For example, the standing committees of the Southcentral region are police, courts and corrections, community, personnel, and bylaws and guidelines.

Table 3

Distribution of Elected Officials in Pennsylvania Regional Planning Council Membership

1975

Region	Membership	General Local Government Elected	Criminal Justice Elected	Total Elected	Percent of All Elected
Allegheny	47	16	8	24	51
Central	33	11	7	18	55
Northeast	38	11	9	20	53
Northwest	54	17	11	28	52
Philadelphia	51	15	13	28	55
Southcentral	51	26	3	29	57
Southeast	38	17	4	21	55
Southwest	30	12	6	18	60
TOTAL	342	125	61	186	54

Source: FY 1976 Pennsylvania planning grant application.

Table 4

Functional Distribution of Regional Planning Council Membership
1975

Region	Police	Courts	Corrections	Other Government	Public	Total
Allegheny	7	8	4	18	10	47
Central	7	6	3	13	4	33
Northeast	5	6	4	13	10	38
Northwest	9	8	4	21	12	54
Philadelphia	3	15	2	17	14	51
Southcentral	4	5	4	28	10	51
Southeast	7	4	2	19	6	38
Southwest	4	6	3	12	5	30
TOTAL	46	58	26	141	71	342
Percent of Total	13	17	8	41	21	100

Source: FY 1976 Pennsylvania planning grant application.

Composition of Regional Planning Councils

The 1975 executive order also specified membership requirements for the RPCs. Each must have at least 24 persons, all of whom are appointed by the governor. Council membership must meet the same representative-character criteria as the GJC; however, it must also adhere to the 1973 Safe Streets Act amendment requiring at least 51 percent of the members to be local elected officials (see Tables 3 and 4).

Interviewees revealed skepticism about the effects of the 51 percent requirement. Some contended that the major effect had been to increase the size of the RPCs to such an extent that they were too unwieldy to be effective. The LEAA regional office said that the requirement had resulted in more "logrolling" on the councils. The former executive director of the GJC noted a demonstrable increase in politicization of the program at the local level—more "pie-cutting" and "pork barreling." Some local officials interviewed disputed the definition of "local elected officials," arguing that judges and other elected criminal justice officials should not fall within this classification, but only elected executive and legislative officials of general purpose local government units.

Responses to an ACIR questionnaire mailed to all Pennsylvania counties and municipalities over 10,000 population yielded a more positive assessment of this requirement. Twenty-three jurisdictions, 30 percent of those replying, thought that the primary effect of the 1973 amendment was to make Safe Streets programming more realistic in terms of local budget considerations; 21 said that it had increased the influence of chief executive and legislative officials in regional decision-making; 16 indicated that the requirement had had no effect at all; and 15 noted that it had reduced the influence of criminal justice functional specialists. Seven cited other, miscellaneous effects.*

In two of the three regions visited by the ACIR field team, interviewees raised questions about the composition of the regional councils. The City of Philadelphia believed that it has been underrepresented on the Philadelphia Regional Council. As of June 1975, 14 RPC members were city officials. However, all but four were city councilmen and therefore not accountable directly to the mayor's office. According to the interviewees, the council is divided into three major factions: the city administration, the courts and private, nonprofit associations. City agency representatives said that community groups were overrepresented; an important city administrator stated that the courts were overrepresented—19 members of the council were either officers of the court or held positions directly related to the courts. Conflicts over RPC representation have led some city officials to complain that the council is an artificial body superimposed over the one legal and accountable unit of government—the city.

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*In June 1975, ACIR mailed a questionnaire to the chief executive officers of all cities (including towns and townships) and counties of 10,000 or more population in order to probe their attitudes concerning the operation of the Safe Streets program. By October, responses had been received from 64 percent of the cities and 27 percent of the counties in Pennsylvania surveyed. Since not all localities answered each question, the response rate cited in the case study will vary.

Interviewees in the Allegheny region contended that Allegheny County—the only jurisdiction in the Allegheny region with a full range of criminal justice responsibilities—has been underrepresented on the RPC, with three county representatives on the 50-member council. Similarly, a judge interviewed pressed for increased judicial representation, since only four judges, one of whom had administrative duties, served on the RPC.

Staff

One of the distinguishing characteristics of Pennsylvania's regional structure is its bifurcated staffing pattern. Two separate staffs serve each RPC: one, an extension of the GJC staff and accountable to it; the other, a staff employed by and responsible to the RPC itself.

The GJC supports (out of the state share of the annual Part B planning funds) a staff for each RPC consisting of a regional director, two or three field representatives, one accountant, one fiscal monitor and two or three clerical personnel. The regional director is a state employee, reporting to the GJC executive director. He and his staff are responsible for implementation of the plan and management of the grants process.

The RPC employs (with funds from the pass-through portion of Part B monies) a regional planning staff consisting of a chief planner and one or more assistants, depending on the size of the region. The regional planner is hired by and reports directly to the RPC. All job descriptions and pay scales for regional planning staff are determined by the individual RPCs. The primary function of the regional planner and his staff is to prepare the comprehensive regional criminal justice plan. Specific tasks include collecting and analyzing regional crime and criminal justice system data, formulating statements of regional needs and problems, and preparing recommendations of policies and priorities for council action.

In two of the regions visited (Philadelphia and Allegheny County), it appeared that the bifurcated staffing system adversely affected staff-RPC relationships. The state staffs run RPC meetings. In the Philadelphia RPC, members did not know whether questions should be addressed to the state regional director or to the regional planner. In the same RPC, it appeared RPC members and the regional staff were conspiring against the state staff. As a result, effective grants management and policy-making were impeded.

According to the ACIR observer, the regional director and the chief planner in the Northwest region appeared to have developed a relatively stable and effective working relationship. There was no evidence of discord between the two staffs or dissatisfaction on the part of the RPC members. Although the state regional director is the "lead" staffer and conducts council meetings, this does not seem to generate antagonism from the chief planner or create a lack of confidence in the RPC.

A majority of Pennsylvania county and city officials perceived regional criminal justice planners as state personnel, according to ACIR's survey. When asked whether they perceived regional criminal justice planners as state or local, 37 (54 percent of the 69 respondents) said "state," 21 (30 percent) replied "local," and 11 (16 percent) did not know. Although some field interviews revealed GJC attempts to influence the activities of the RPCs through the regional directors, it also appears that some state regional directors consider themselves advocates for their region. In general, however, the staff's relationship with the RPC and the GJC vary from region to region and depend upon the personalities involved.

SAFE STREETS PLANNING

As in the other case study states, statewide comprehensive criminal justice planning in Pennsylvania was non-existent before the advent of the Safe Streets program. Most major state criminal justice agencies, such as the state police, had research and planning divisions, and some efforts had been made at the local level (for example, in 1966 the mayor of Philadelphia formed a Law Enforcement Policy Council for the City), but there was no framework for integrated planning efforts. Although Safe

Streets created a new structure for comprehensive planning, inexperience, lack of staff, short time frames for plan submission and an emphasis on "getting the money out" all impeded the development of sound and stable planning processes in Pennsylvania, as in most of the other case study states.

The RPCs have played a dominant role in the state's development of the annual comprehensive criminal justice plan required under the Safe Streets Act. As a result, state plans were simply compilations of regional plans and state agency requests, lacking integrated analysis and statements of needs, goals and priorities. The GJC staff has been involved primarily in the technical aspects of preparing the plan, allowing the regions to take the leading role in determining needs, setting priorities and formulating programs.

During development of the FY 1975 plan, the
504 GJC staff attempted to exert stronger state leadership in the planning effort, and, in conjunction with the regional planners, established statewide priorities. Their intent was to set overall objectives with regional concurrence, instead of collating regional objectives into a state plan. This transition is an important issue in Pennsylvania. The state staff, although wanting to become more involved in substantive planning, is wary of usurping the long-accepted role of the regions as the most knowledgeable assessors of the needs in their areas. In addition, some groups (particularly private, non-profit organizations and the state police) disputed the priorities set by the GJC and the RPCs in 1975, and thought that they had been unfairly excluded from the process.

The FY 1975 Plan was structured according to the nine functional categories suggested in the LEAA guidelines: legislation; planning and evaluation; research and information systems; prevention; detection, deterrence, and apprehension; diversion; adjudication; institutional rehabilitation; and non-institutional rehabilitation. A general statement of standards, priorities and goals for each category was included. Within these categories, there were a total of 25 substantive programs. For example, within the category "Non-Institutional Rehabilitation," one program was "Development and Improvement of Community Based Treatment Services and Facilities for Juvenile Offenders as an Alternative to Institutionalization." A description of need (including specific indicators), program objectives, implementation strategy and appropriate budget data was provided for each program. While the plan identified some specific projects and was developed on the basis of identified projects, it did not commit funds to any. The state's total block award (Part C and E) was allocated on the basis of the 25 program areas.

During interviews, some local officials disagreed with the use of program categories, claiming that projects had had to be manipulated to fit the program description in the plan rather than actual local needs. However, questionnaire replies did not corroborate this impression. Fifty-five of 72 (76 percent) municipal and county officials responding indicated that restrictions and requirements placed on the use of Safe Streets funds had not adversely affected their jurisdiction. Only a few of those who had experienced difficulties attributed them to the program structure of the state plan.

On the other hand, the former GJC executive director expressed dissatisfaction with the number of program areas provided and claimed that the LEAA regional office had insisted on such a large number in response to what it considered to be the complex needs of the state. He said: "The GJC is trying to limit the number of program subcategories; however, LEAA wants us to plan for our very diverse program by specifying each program area. Additional categories [programs] would cause increased fragmentation of funds to the detriment of planning flexibility."

Once the GJC and the RPCs develop statewide priorities and program objectives, this information, along with GJC funding policies and other appropriate instructions, is compiled into a plan development brochure that is distributed to state agencies, private, nonprofit organizations and the RPCs.

Each participating nonprofit organization and state agency prepares a plan that describes its current operations, goals, and objectives and lists all projects for which Safe Streets support is requested. The project listings include statements of the problem to be addressed, objectives, methods of implementation, anticipated results and a multiyear budget.

Each region also prepares a plan. However, the RPCs, unlike state agencies and nonprofit organizations, are aware of the amount of Part C funds their region will receive. In FY 1975, the GJC allotted 80 percent of the total Part C award for local use. Seventy-five percent was distributed among the eight RPCs, according to the state's formula, and the remaining five percent was distributed to the

"Safe Streets Cities." The Pennsylvania Safe Streets Cities effort was modeled on the LEAA Impact Cities program. Medium-sized, high-crime communities recieved supplemental funding to initiate crime-specific projects. In May 1975, the GJC decided that future funding of Safe Streets Cities efforts would be at the discretion of the respective RPCs.

In the summer of 1975, the GJC adopted a recommendation, made by a committee representing all eight RPCs, to utilize a more objective formula for allocating Part C funds. The new formula takes into account the regional proportion of population, crime and criminal justice system work loads and penalizes regions that have not efficiently expended previous allocations. The formula weights population twice as heavily as the number of arrests and defendants processed and multiplies this ratio by a "cash flow multiplier" (the percent of monies spent from the previous fiscal year's allocation).

Use of the revised formula has reduced the amount of Part C funding awarded to the Allegheny and Philadelphia regions. Allegheny, which has had difficulty in fully utilizing its block monies, was particularly affected. A regional staffer complained that the region was being penalized for management deficiencies at the state level: "Witness the experience of the Allegheny Region in the new formula. The emphasis on spending money does not help to deal with high crime area problems. The funding flow is tied directly to. . .changes in policies and procedures in Harrisburg—ex post facto!"

Part E corrections funds are not distributed according to the formula for Part C funds. Although some local projects receive Part E monies during the grant award process, Pennsylvania awards most of these funds to state programs, as do the other case study states.

The planning process generally begins with public hearings held by the RPCs. Needs and problems expressed at these forums, combined with formal written requests from local government and private nonprofit agencies, provide the basis for the regional plan. However, survey replies show only moderate satisfaction at the local level with the responsiveness of the regional plans to local needs. Thirty-five out of 72 (48 percent) city and county officials said that the regional plan reflected their criminal justice needs and priorities "adequately;" four indicated "significantly;" 31 answered "very little" and two said "not at all."

Each RPC reviews and approves the regional plan before it is transmitted to the GJC. The RPCs play an active role in the overall plan development and review process: regional plans are usually approved by the state with only minor modifications and become the basis for project awards once the state receives its block grant.

The Philadelphia region developed a regional plan for FY 1975 oriented to overall program objectives rather than project listings, as other regions had done previously. The former GJC executive director was extremely concerned about Philadelphia's plan because it did not provide the necessary budget data for the state plan and symbolized an RPC's ability to define the structure of its own regional plan. Nevertheless, the GJC accepted the Philadelphia plan and submitted a state plan to LEAA that incorporated GJC staff estimates of that region's budget breakdown.

The quality of the regions' planning efforts depends upon the degree of interest of RPC members, the sophistication of the regional planning staff and the extent to which the state regional directors (GJC employees) and the regional planners (RPC staff) clearly understand their respective roles and responsibilities. The development of comprehensive planning capacity at the regional level was hindered in the past by use of short-term consultants rather than a full-time planning staff.

The GJC staff reviews the eight regional plans and proposals from state and nonprofit agencies and makes tentative allocations to each program grouping. The GJC staff has greater discretion over state and nonprofit agency requests than regional ones, because funds are not allocated to those groups by formula during the planning process. Regional plans fall within the exact dollar allocation to each region. Thus, the GJC staff can differentiate among state and nonprofit agency projects, but are hard-pressed not to accept regional priorities as submitted. Consequently, regional plans are almost always approved by the GJC and incorporated into the state plan.

The GJC itself plays only a small part in the development of the comprehensive state plan. Although the GJC must approve the plan before it is sent to the LEAA regional office, a thorough review is not made. Generally, the recommendations of state and regional staffs are endorsed.

According to the former GJC executive director, approval of the state plan by the LEAA regional office generally took 11-12 weeks from the time of submittal. The FY 1975 plan, however, was approved within seven weeks. During this period, as well as during the development of the plan, the LEAA regional office holds informal meetings with GJC staff to discuss guideline requirements. The LEAA regional staff reviews the plan in conjunction with technical assistance specialists and negotiate with the state concerning any special conditions attached to the plan. (As in the other case study states, LEAA places special conditions on plan approval to insure guideline compliance, yet not delay the flow of funds.)

To promote state leadership in the planning process, the GJC staff is initiating a "special emphasis" planning concept for the FY 1976 plan. GJC planners will outline priority concerns and then develop projects including several program areas, such as an anti-victimization project. Funding for these projects will come from the allotment to state agency projects, which are receiving diminishing support under the GJC's assumption-of-cost policy.

GJC planning staff morale seems to rest on the success of the special emphasis project. The GJC staff feels ineffective as a planning agent, only coordinating the planning process rather than initiating it. Staff members see the special emphasis concept as a seed program that could evolve from one demonstration project to comprehensive, statewide planning begun by the GJC and implemented by the regions.

The GJC also plans to coordinate its planning process with the standards and goals developed for the state's criminal justice system by the Pennsylvania Joint Council on the Criminal Justice System, with support from an LEAA discretionary grant. The joint council and the GJC have already sponsored a number of conferences to obtain citizen views on the criminal justice system. The executive director of the GJC sits on the joint council (ex officio), and a full-time staff liaison has been assigned. When adopted, statewide goals and standards will embrace all criminal justice components and func-

Table 5

Part B Planning Funds Distributed to Pennsylvania's Eight Regions FY 1969-1972

	1969	1970	1969-1970 Percent Change	1971	1972	1971-1972 Percent Change
Allegheny	47,255	99,802	52	105,600	132,600	20
Central	32,091	33,266	3.5	50,000	75,000	33
Northeast	53,955	33,266	-62	50,000	75,000	33
Northwest	29,623	33,266	109	50,000	75,000	33
Philadelphia	62,419	99,802	37	105,600	132,600	20
Southcentral	35,618	33,266	-7	50,000	75,000	33
Southeast	53,250	33,266	-60	50,000	75,000	33
Southwest	38,439	33,266	-15.5	50,000	75,000	33
TOTAL	$352,650	$399,200		$511,200	$715,200	

Part B Planning Funds Distributed to Pennsylvania's Eight Regions 1973-1975

	1973	1974	1973-1974 Percent Change	1975	Percent Change Between 1975 and 1969
Allegheny	185,786	204,365	12	204,752	76
Central	100,188	110,207	9	110,416	70
Northeast	100,188	110,207	12	110,416	51
Northwest	100,188	110,207	12	110,416	73
Philadelphia	185,786	204,365	9	204,752	43
Southcentral	100,188	110,207	12	110,416	67
Southeast	100,188	110,207	12	110,416	51
Southwest	100,188	110,207	12	110,416	65
TOTAL	$972,700	$1,069,972		$1,072,000	

Source: Governor's Justice Commission.

tions and will help determine the framework of the state plan. A number of RPCs are also integrating standards and goals into their planning processes.

Planning Funds

Pennsylvania received $2,930,000 in Part B planning funds for FY 1976 (12 months). Of this amount approximately 45 percent was made available to the eight RPCs and four localities eligible for and requesting direct planning funds. Planning monies are allocated generally among the regions on the basis of population. Factors such as crime incidence and urbanization are also considered (see Tables 5 and 6).

There was some dissatisfaction at the regional level with the amount of funds received. For example, the Philadelphia RPC planner thought that Part B monies were inadequate, at all levels, for effective planning. The Northwest region (Erie) planner, however, rated Part B funding as adequate and agreed with the present division of planning monies between the state and the regions.

The Safe Streets Act provides that planning funds be made available directly to major cities and counties. As a result, four Pennsylvania localities receive Part B funds (the Counties of Allegheny, Delaware and Montgomery and the City of Pittsburgh).* Under the 1973 Safe Streets amendments, these localities are also eligible to present local plans directly to the GJC for review and approval; however, at the time of ACIR field work, GJC guidelines for this process had not been developed.

There was some concern expressed by the GJC staff that local planning efforts may duplicate and overlap regional planning activities. The Allegheny County criminal justice planner, in a letter to Representative John Conyers (D.-Mich.), strongly advocated that planning responsibilities and funds be placed in the hands of local governments and not RPCs: "This money [Part B pass-through funds] ... is to be granted to the local units of government, not for the subsidization of SPA [GJC] operations. The planning council was never delegated nor designated the authority to act as planning agent for criminal justice by any local unit of government in this county. The planning process and resulting programs have been dictated by the SPA with local government having virtually little say as to the expenditure of action funds for criminal justice programs."[7]

Table 6

Distribution of Part B Funds to Pennsylvania Regions and Localities FY 1976

Allegheny Region	223,852
Allegheny County	50,000
City of Pittsburgh	19,000
Central Region	120,716
Northeast Region	120,716
Northwest Region	120,716
Philadelphia Region	223,852
Southcentral Region	120,716
Southeast Region	120,716
Delaware County	36,000
Montgomery County	41,000
Southwest Region	120,716
TOTAL	1,328,000

Source: FY 1976 planning grant application.

The GJC executive director thought that the amount of planning funds retained at the state level was not sufficient to support effective planning, evaluation, monitoring, grants management and auditing of the Safe Streets program. The LEAA regional office agreed that additional planning monies are needed, even if, in the words of one high-level staff member, "it means less C and E money."

SAFE STREETS FUNDING

In FY 1975, Pennsylvania received $27,058,000 in Part C funds and $3,185,000 in Part E funds (see Table 7). These monies were expended through the award of grants by the GJC to state criminal justice agencies, local units of government and private, nonprofit agencies.

As in the other case study states, in order to determine the distribution and use of these funds, the ACIR staff analyzed a sample of grants awarded from Part C funds during calendar year 1974. The

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*The City of Philadelphia received LEAA discretionary funds to establish a "Mayor's Criminal Justice Improvement Team," to develop a "crime-specific" plan for reduction of robbery and burglary and, eventually, other types of crimes as well. The team also reviews all city applications for Safe Streets funds and provides technical assistance to criminal justice agencies.

Table 7

Safe Streets Block Grant Funding to Pennsylvania
FY 1969-1975
(In Thousands)

Fiscal Year	Part C	Part E	Total
1969	$ 1,427	0	$ 1,427
1970	10,591	0	10,591
1971	19,532	$1,431	20,963
1972	23,679	2,790	26,469
1973	27,482	3,233	30,715
1974	27,482	3,233	30,715
1975	27,072	3,185	30,257

Source: LEAA Grants Management Information System (GMIS) data.

sample was selected by choosing every fifth project, for a total of 151.*

Table 8 shows the distribution of Safe Streets funds by type of recipient. State agencies received 32 percent of the funds; local governments, 55 percent. The 12 percent of the funds classified as "other" were awarded to private, nonprofit agencies-a higher percentage than that found in the other case study states. A number of criminal justice agency officials interviewed thought that these groups received too much money.

Data from LEAA's Grants Management Information System (GMIS) are generally consistent with the findings of the grant sample.* According to GMIS figures, from FY 1969-1974, state agencies received 35 percent of the block funds; local governments, 59 percent; and private agencies, five percent (see Table 9). However, the GMIS data include Part E and Part C funds, which may explain the larger state agency share.

Table 8

Recipients of Action Funds
1974 Grant Sample

Recipient	Number of Grants	Percent of Grants	Amount of Funds	Percent of Funds	Amount of Average Grant
State	10	6.6	2,159,151	32.3	$215,915
County	52	34.4	1,860,796	27.8	35,784
City	40	26.5	1,835,105	27.4	45,877
Other	49	32.5	827,220	12.4	16,882
TOTAL	151		$6,682,272		

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*For a discussion of the grant sample methodology, see Chapter VIII. The approach in Pennsylvania varied somewhat from that employed in the other case study states. Since the RPC staffs are the most knowledgeable about local projects, regional directors were queried by mail about grants in the sample. Thus, it is possible that there are greater discrepancies in the method of classification than otherwise might be found.

*For a discussion of the uses and limitations of GMIS data, see Chapter V. GMIS records include 87.2 percent of FY 1972 Pennsylvania awards; 92.2 percent of FY 1973; and 86.5 percent of FY 1974, as of August 1975.

ACIR survey responses indicated that almost all city and county officials thought that more action funds should be made available to the local level. Fifty-five of 72 (76 percent) respondents disagreed with the current pass-through formula based on relative expenditures (under which localities must receive at least 68.4 percent of the Part C award) and said a greater portion of the money should be allocated for local use.

GMIS data were also used to determine whether or not major cities received allocations proportionate to their population and crime rate. Pennsylvania has two cities over 250,000 population—Philadelphia and Pittsburgh—whose total population comprises 19.6 percent of the state's population and 33.6 percent of its reported index crimes (1973). The two cities received 24.4 percent of the Part C funds awarded to Pennsylvania jurisdictions in FY 1972-1974. Allentown and Erie (pop. 100,000-250,000) have two percent of the state's population and 3.3 percent of its crime. The cities received 2.4 percent of the local FY 1972-1974 Part C funds awarded. Major jurisdictions received a portion of the funds slightly above what their population alone would warrant, but far below what their percentage of the state's crime index could justify.

The 151 grants in the sample were also categorized according to criminal justice functional components, as reflected in Table 10. According to the sample, the greatest percentage of action funds (34 percent) was awarded to corrections (a higher percentage than that for any other case study state except Minnesota). This finding indicates compliance with the Part E provision of the Safe Streets Act, which requires states to maintain their level of Part C funding for correctional purposes—about 35 percent in Pennsylvania. Courts received 15 percent of the action funds, a figure slightly above that for most of the other states examined. That this figure is lower than the allocations to the other major functional areas confirms court officials' statements that participation in the Safe Streets program has only recently begun.

GMIS data served to cross-check the grant sample findings. Although the functional component categories used differ, the data generally support the sample results (see Table 11). An examination of Table 11 reveals the changing distribution of funds over the years (1969-1974). For example, police allocations decreased from 71 percent of Part C funds in FY 1969 to 28 percent in FY 1974. Courts

Table 9

Distribution of Funds (Part C and E) by Type of Recipient FY 1969-1974

Fiscal Year	State		Cities		Counties		Private		Total
	$	%	$	%	$	%	$	%	$
1969	171,791	17	417,098	42	378,566	38	5,000	—	972,455
1970	2,072,462	18	3,096,850	28	4,953,552	45	844,804	7	10,967,668
1971	4,760,261	27	7,308,045	42	4,243,249	24	903,307	5	17,214,862
1972	10,282,945	44	5,598,810	24	6,756,177	29	443,999	1	23,081,931
1973	12,508,158	44	7,540,630	26	7,409,103	26	875,920	3	28,333,811
1974	7,774,472	29	9,821,824	36	5,753,038	21	3,226,432	12	26,575,766
TOTAL	37,570,089	35	33,783,257	31	29,493,685	28	6,299,462	5	107,146,493

Source: GMIS data.

Table 10

Distribution of Action Funds by Functional Component
1974 Grant Sample

Functional Component	Number of Grants	Percent of Grants	Amount of Funds	Percent of Funds
Police	78	52	1,671,889	25
Courts	19	13	1,022,653	15
Corrections	23	15	2,290,659	34
Juvenile Delinquency	26	17	1,555,739	23
Drug and Alcohol	2	1	80,850	1
Combinations	3	2	60,482	0.9
TOTAL	151		$6,682,272	

510 funding, on the other hand, increased from four to 11 percent during the same period.

In order to find out what kinds of activities were supported with Safe Streets funds, the ACIR field team, with the assistance of GJC staff, classified the grants in the sample by primary activity supported (see Table 12). As in the other case study states, Pennsylvania awards most of its monies to projects that provide services (68 percent). The GJC restricts the types of activities that can be supported. Since 1970, for instance, the GJC has funded equipment projects only if they were consistent with the priorities in the state plan and met one or more of the following criteria: use as part of an areawide effort with other criminal justice agencies; it makes an innovative or qualitative improvement in law enforcement; and/or it meets a critical need in a community that lacks resources to respond.[8] A policy adopted in June 1973 was intended to limit construction funding. It reads: "Large capital construction or equipment purchases are discouraged. Expenditures for planning and design studies for such purpose are considered appropriate if they contribute to consolidation of services or significant programmatic improvements."[9]

GJC policy also prohibits projects that merely add personnel, except to fill positions for a new service or program. The grant sample indicates that 17 percent of the funds were awarded overall to personnel projects. It was difficult, in the sample, to distinguish between service activities (which generally involve new staff) and personnel projects in which no new or expanded service is involved.

Finally, ACIR staff attempted to assess the degree of innovation of Safe Streets projects by two sets of measures. The first (see Table 13) reveals the extent to which an activity had been attempted prior to receiving Federal funding.

By this measure, 44 percent of the grants and 41 percent of the funds were awarded to projects that had been attempted in the recipient locality before Safe Streets funding. This finding indicates that Pennsylvania supports a greater portion of activities that have been tried before than any of the other case study states and seems to contradict the GJC's stated emphasis on new and innovative efforts.

With the help of the GJC staff, the field team analyzed the grants with a second set of measures. Each of the 151 grants was classified as "new," "expansion," "update" or "routine" (see Table 14).

According to the sample, 52 percent of the funds was used for "new" projects, a low percentage compared with the other case study states.

Discretionary Funding

The allocation of LEAA discretionary funds has had an impact on overall funding patterns in the state. According to some interviewees, political factors have occasionally influenced the award of discretionary funds. In his article, "The Krogh File -The Politics of Law and Order," Edward Jay Epstein reported that large sums of discretionary funds were awarded to the City of Philadelphia in order to

Table 11

Pennsylvania Distribution of Part C and E Block Funds
FY 1969-1974

Fiscal Year	Subgrant	Police				Courts				Corrections				Combinations				Non C-J Agencies			
		No.	%	☐ Amount	%	No.	%	☐ Amount	%	No.	%	☐ Amount	%	No.	%	☐ Amount	%	No.	%	☐ Amount	%
1969	Part C	81	75	694,406	71	6	5	42,369	4	15	14	124,197	12	4	3	96,483	9	1	0	15,000	1
	Part E	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
	Total	81	75	694,406	71	6	5	42,369	4	15	14	124,197	12	4	3	96,483	9	1	0	15,000	1
1970	Part C	259	63	4,254,967	38	27	6	1,502,011	13	55	13	1,712,446	15	46	11	2,710,183	24	18	4	788,061	7
	Part E	0	0	0	0	0	0	0	0	0	0	0	0	0	0		0	0	0	0	0
	Total	259	63	4,254,967	38	27	6	1,502,011	13	55	13	1,712,446	15	46	11	2,710,183	24	18	4	788,061	7
1971	Part C	234	54	5,093,516	29	34	7	1,986,401	11	83	19	5,297,374	30	49	11	2,914,104	16	26	6	1,923,467	11
	Part E	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
	Total	234	54	5,093,516	29	34	7	1,986,401	11	83	19	5,297,374	30	49	11	2,914,104	16	26	6	1,923,467	11
1972	Part C	162	37	4,944,739	23	79	18	3,053,616	14	100	22	7,682,013	36	30	6	2,468,263	11	65	14	2,818,805	13
	Part E	0	0	0	0	0	0	0	0	13	100	2,114,495	100	0	0	0	0	0	0	0	0
	Total	162	36	4,944,739	21	79	17	3,053,616	13	113	25	9,796,506	42	30	6	2,468,263	11	65	14	2,818,805	12
1973	Part C	397	53	6,368,221	25	103	13	4,835,736	19	137	18	8,891,955	35	48	6	2,945,124	11	53	7	2,038,823	8
	Part E	0	0	0	0	0	0	0	0	18	100	3,253,952	100	0	0	0	0	0	0	0	0
	Total	397	52	6,368,221	22	103	13	4,835,736	17	155	20	12,145,907	42	48	6	2,945,124	10	53	7	2,038,823	7
1974	Part C	365	52	6,822,932	28	96	13	4,629,325	19	108	15	6,630,674	28	51	7	2,721,423	11	70	10	2,830,715	11
	Part E	0	0	0	0	0	0	0	0	15	100	2,940,688	100	0	0	0	0	0	0	0	0
	Total	365	51	6,822,932	25	96	13	4,629,325	17	123	17	9,571,362	36	51	7	2,721,423	10	70	9	2,830,715	11

Source: GMIS data.

Table 12

Primary Activities Supported With Action Funds
1974 Grant Sample

Primary Activity	Number of Grants	Percent of Grants	Amount of Funds	Percent of Funds
Equipment	14	9	523,017	8
Construction	3	2	160,453	2
Service	77	51	4,548,085	68
Training	50	33	339,879	5
Personnel	7	5	1,110,838	16
TOTAL	151		$6,682,272	

Table 13

Prior Attempts of Activity
1974 Grant Sample

	Number of Grants	Percent of Grants	Amount of Funds	Percent of Funds
Never attempted anywhere	4	3	445,692	7
Never attempted in state	16	11	1,341,754	20
Never attempted in locality	64	42	2,181,475	33
Has been attempted in locality	67	44	2,713,351	41
TOTAL	151		$6,682,272	

Table 14

Degree of Innovation
1974 Grant Sample

Degree of Innovation	Number of Grants	Percent of Grants	Amount of Funds	Percent of Funds
New	68	45	3,493,937	52
Expansion	31	21	1,055,615	16
Update	18	12	1,553,616	23
Routine	34	23	579,104	9
TOTAL	151		$6,682,272	

Table 15

Pennsylvania
Comparison of Discretionary Funds to the State and Cities Over 1,000,000
FY 1971-1975

Fiscal Year	Discretionary Funds Awarded to Recipients in the State	Discretionary Funds Awarded to Cities Over 1,000,000 in the State*	Percent
1971	$ 3,982,829	$ 1,040,155	26.1
1972	3,733,982	3,643,431	95.5
1973	2,248,500	2,000,000	88.9
1974	1,361,435	681,024	50.0
1975	4,976,535	3,989,383	80.1
TOTAL	$16,303,281	$11,353,993	69.6

*Philadelphia is the only city with a population of more than 1,000,000.

Source: GMIS data.

Table 16

LEAA Discretionary Funding to Cities Over 1,000,000 in Population*
FY 1971-1975

	California	Illinois	Michigan	New York	Pennsylvania	Texas	Total
1971							
Amount ($)	0	0	356,864	1,520,393	1,040,155	308,200	3,225,612
Percent	0	0	11	47.1	32.2	9.5	
1972							
Amount ($)	938,234	0	146,788	598,770	3,643,431	6,347	5,333,570
Percent	17.5	0	2.7	11.2	68.3	0	
1973							
Amount ($)	2,000,000	0	0	1,090,969	2,000,000	1,396,899	6,487,868
Percent	30.8	0	0	16.8	30.8	21.5	
1974							
Amount ($)	0	0	0	325,192	681,024	0	1,006,216
Percent	0	0	0	32.3	67.7	0	
1975							
Amount ($)	0	0	0	1,036,436	3,989,383	0	5,025,819
Percent	0	0	0	20.6	79.3	0	
TOTAL							
Amount ($)	2,938,234	0	503,652	4,571,760	11,353,993	1,711,446	21,079,085
Percent	13.9	0	2.3	21	54.7	8.1	

*The cities in the six states represented are Los Angeles, California; Chicago, Illinois: Detroit, Michigan; New York, New York; Philadelphia, Pennsylvania and Houston, Texas.

Source: GMIS data.

gain Mayor Frank Rizzo's support for President Nixon in the 1972 election and to further Mr. Nixon's "law and order" record prior to the election.[10]

Between 1971 and 1975, more than $16 million of discretionary funds was awarded to recipients in Pennsylvania (see Table 15). Almost 70 percent of this total was allocated to the City of Philadelphia. Despite the city's size and crime problem, this appears to be a relatively high proportion. GMIS data indicate that from 1969 to 1975, 47 percent of LEAA's discretionary funds (C and E) was awarded to state governments and 30 percent, to cities. Compared to the allocations received by other cities with populations greater than 1,000,000 (Chicago, Detroit, Houston, Los Angeles and New York), the amount awarded to Philadelphia appears extremely high (see Table 16). Every year except FY 1971, Philadelphia has received funding equal to or greater than that awarded to other cities of more than one million population. Overall, Philadelphia received 55 percent of all discretionary funds awarded to cities with populations in excess of 1,000,000. Yet, Philadelphia had the lowest crime rate of these cities for the period examined, according to the "Uniform Crime Report."

What caused this distribution pattern is a matter of speculation, because the amount of criminal justice responsibility within states varies considerably. As both a city and county, Philadelphia probably has more responsibility for criminal justice than Los Angeles, for example, which handles only the police and lower court functions. At the same time, a review of the grants awarded to Philadelphia showed that most were law enforcement and drug abuse related, areas that Mr. Epstein contends were prime concerns of the Nixon administration's "law and order" effort.[11] The dramatic increase in the amount and proportion of discretionary funding to Philadelphia as compared with the entire state and other cities in the nation did occur in 1972, when, Mr. Epstein indicated; the Nixon administration initiated its funding of Philadelphia's programs.

Grant Administration

The GJC awards about 500 grants each year. The RPCs are responsible in large measure for initiating and overseeing the process by which applications are developed and projects implemented. The former GJC executive director estimated that 95 percent of the projects included in the state plan were funded and implemented. A very low percentage of fiscal year funds has been reallocated among program categories through formal plan amendments. In FY 1971, only one percent of the Part C monies was transferred; in FY 1972, three percent; and in FY 1973, one percent. Although the state plan does not earmark monies for specific projects, it provides a basis for the development of applications and a control point for the administration of block funds, primarily because the plan allocations are based in part upon previously identified projects.

All applications from local governments (or private, nonprofit agencies with local government sponsorship) are submitted to the RPC for review by the regional director and his staff, who are also responsible for notifying the appropriate regional A-95 clearinghouse. After these preliminary reviews, the full RPC decides whether or not to recommend approval or denial of each application.

The GJC staff checks each application for fiscal, legal, administrative and programmatic compliance with the commission's policies, priorities and requirements. Criteria used by the GJC staff to recommend acceptance or rejection of a project to the commission may rest on evaluations of continuation projects or the applicant's past compliance with quarterly financial reports. The most influential factor, however, is the RPC's recommendation. Applications are then presented for a decision at the monthly meeting of the GJC, with the recommendations of both the RPC and the GJC staff. In order to expedite the flow of grants as well as to ease the burden on the commissiom, the executive director is authorized to approve applications for less than $25,000 in Federal funds that have been already recommended for approval by an RPC. The executive director presents a list of such approvals to the GJC at its next meeting.

State agency applications (as well as nonprofit agency requests for state-level funding) receive the same GJC review.

In accordance with the 1973 amendments to the Safe Streets Act, the GJC has adopted procedures designed to insure that all applications are acted upon within 90 days. In Pennsylvania, the 90-day period begins when an application is received by an RPC office, or, in the case of a state agency request, by the GJC central office. Regional directors and the GJC executive director are empowered to disapprove (without prejudice) and return applications that contain substantial fiscal deficiencies. A return of the application for this reason stops the 90-day clock, which begins again upon resubmission. According to the GJC executive director, only one or two applications have received funding because of expiration of the 90-day limit. The GJC staff thought that the rule hinders rather than helps the grant process. The effectiveness of the deadline in reducing delays is negated by the practice of stopping the clock for administrative and fiscal revisions. Yet, given the extensiveness and complexity of application requirements and the inexperience of some applicants, the GJC believes that it has no other practical alternative to this procedure.

The multi-step review procedure dismays applicant and staff alike—both feel caught up in their respective mounds of paper work and unable to function effectively. Each level blames the higher one for delays in the award process.

The RPC staffs dislike spending 75 percent of their time on grants management. Some suggest that RPCs should solicit applications to obviate the necessity of eliminating projects that do not fall into established categories. Local governments, however, dislike having to write an application to fit a category rather than a real criminal justice need. The mayor of one Pennsylvania city refuses to become personally involved in the LEAA program, despite his own membership on the RPC, because he considers the bureaucratic problems too enormous. He submits only large projects from his municipality because the length of review time precludes the practicality of small undertakings.

State agencies experienced fewer delays partly because they do not participate in an RPC review. One cause of delay frequently mentioned by the agencies, however, was conflicting advice about application or granting procedures from the GJC staff. Usually there was an administrative misunderstanding involved, but the state agencies were often left confused. GJC staff were concerned about the lack of respect they received from other state agencies due to this problem and to the technical, routine nature of their role as grant reviewers.

Responses to the ACIR local questionnaire show that 20 of 65 (31 percent) cities and counties replying had experienced major delays in the award process. Factors cited as contributing to these delays were generally "bureaucracy" and "red tape."

Continuation Funding

In June 1974, the GJC adopted a policy limiting the length of time a project may receive Safe Streets funding. The policy restricts Federal support to a maximum of four years and requires state and local government to assume an increasing share of the financial responsibility over this period. In the first year of funding, Federal support can be up to 90 percent of the total project costs, with complimentary local or state contribution. In the second year, the Federal share drops to 75 percent, and the state and local portion increases to 25 percent. In the third and fourth years, Federal funding declines to 50 and 25 percent and the non-Federal support rises to 50 and 75 percent, respectively. Private, nonprofit agency grantees are exempt from this policy; however, they must document efforts to acquire other funding sources.

One of the purposes of the continuation policy is to insure that an adequate portion of the block grant each fiscal year is available to initiate new programs, in keeping with the GJC's view of Safe Streets funds as seed money. The GJC found that prior to 1974, some projects had been funded for longer than a "reasonable period," and that, each year, a greater portion of the state's block grant (especially monies reserved for state agency use) was committed to continuation funding. This trend, the leveling-off of Congressional Safe Streets appropriations and rising inflation limited the GJC's ability to redirect funding as new problems were identified for priority attention. For example, in FY 1973, 52 percent of Part C monies was committed to continuation activities, and in FY 1974, this figure jumped to 68 percent. As the new policy began to take effect, the FY 1975 continuation percentage declined to 60 percent.

Field interviews indicated that there was some dissatisfaction with the continuation policy at the local level. Officials in Pittsburgh and Philadelphia were particularly concerned about the declining ratio of Federal support, given the uncertain condition of the national economy and the cities' fiscal situations. Generally, city and county officials interviewed were increasingly wary of starting new projects because of the commitment to provide continuation support from local revenues. State agency officials did not express great concern about the issue, asserting that they plan for eventual cost assumption when they first submit an application.

Although there is no hard evidence, it appears that the GJC is meeting with some success in its efforts to encourage state and local government support for projects receiving Safe Streets funds. While the former executive director estimated that only 20 percent of the total Safe Streets projects initiated were now operating with state and local revenues, local officials responding to the ACIR survey generally said that a higher number of projects were continued. Forty of 62 cities and counties replying estimated that over 90 percent of their former Safe Streets projects were operating with local support. The two most important factors influencing assumption of costs were the proven success of the project and the financial condition of the local unit of government.

Match

At least one local criminal justice planner thought that the state buy-in (the Safe Streets Act requirement that the state provide at least one-half of the non-Federal funding for local programs) should increase as the portion of local support increases. In other words, as non-Federal funding increases (from 10 percent to 25 percent, for example), then the state buy-in should increase proportionately (from 10 percent to 12.5 percent) rather than remain at a constant percent. The executive director of the GJC pointed out that an increase is not required by statute (a view supported by an LEAA legal opinion) and, because of its open-endedness, would be impossible to appropriate legislatively.

Results of the ACIR questionnaire indicate that officials of local government do not view the current matching ratios as unfair. Responses from 61 of 72 cities and counties surveyed said that the match requirement was "very satisfactory."

Evaluation

The Evaluation and Monitoring Unit of the Division of Program Support is responsible for coordinating monitoring and evaluation efforts for the Safe Streets program throughout the state, managing evaluations of projects with statewide impact and developing a strategy for program and systemwide evaluation.

The basic element of the GJC's evaluation effort is its "independent project evaluation system." First implemented in 1973, the system calls for selected projects to be assessed by outside evaluators, using a small (three to five percent) amount of project funds (Part C or E). Approximately two percent of the state's total block grant-$600,000-is spent on these project evaluations. Each year, projects supported by 20 percent of the GJC grants (40 percent of the block monies) are evaluated by independent contractors. Recently, the responsibility for managing the system has been delegated to the RPCs because the regions play a dominant role in planning and program development. The GJC's staff in Harrisburg continues to supervise evaluation activities and retain responsibility for all state-level assessments.

Some interviewees opposed the use of project money for evaluation. Dissatisfaction with the evaluators was expressed also. However, city and county questionnaire responses indicated mixed support for the GJC evaluation system. Three localities rated the system excellent; 22, good; 16, fair; 13, poor; and 10 said the system should be abolished. Only 17 respondents said that evaluation had "great influence" on project refunding decisions; 14, that it had great influence on developing or funding priorties; 12, on assumption of project costs; and seven, on modification of on-going projects.

Early in 1975, the GJC received a two-year grant for $261,162 from LEAA's National Institute Model Evaluation Program for implementation of program and system-level evaluations.

Lapsed Funds

Pennsylvania has had difficulty fully expending its fiscal year block funds. The state reverted $1,120,124 in FY 1970 Part C monies—11 percent of its total award. The next year, $1,015,926 Part C and $202,383 Part E funds were unused and reverted to the Federal government. Of the FY 1972 block funds, $957,866 Part C and $145,892 Part E awards were identified as unused as of June 1975.

As explained above, the GJC attempted to address the problem of reversion by revising the regional allocation formula to include a prior expenditure factor. In 1972, the GJC determined that any regional funds remaining unencumbered at the end of a fiscal year automatically became available for use by all RPCs and state agencies. The GJC set up a schedule for the receipt of "Sennett Fund" applications. The Sennett Fund is the title given to a commission resolution passed in February 1972 establishing a "rationale for effecting a lapse period for the regional award of action funds." Project applications from regions relinquishing unused funds have first priority, followed by applications from regions that have fully expended their allocation, and finally, state agency applications. About $2.5 million in action funds is redistributed annually.

Because applications for Sennett funds far exceed available monies, the executive director of the GJC exercises considerable discretion with regard to these awards. A number of interviewees objected to this practice and said that the executive director's influence was too great and that the distribution criteria were not sufficiently clear.

IMPACT OF THE SAFE STREETS ACT

Interviewees agreed that the Safe Streets program has provided the impetus—in terms of both dollars and ideas—for a number of substantial improvements and reforms in the criminal justice system. Examples cited included increased diversion of juveniles, more public defender services, expanded and improved training of law enforcement officers, better planning and evaluation capabilities in criminal justice agencies, increased use of probation, parole and other alternatives to incarceration and modernized police communications. In addition, the attorney general pointed out that the "total program planning activities . . . have resulted in an immeasurable amount of interest, support and involvement in the total criminal justice program on the part of the public, the legislature and professionals."

It was also agreed that the program's planning efforts had led to better coordination and communication among the diverse elements of the criminal justice system. The GJC has encouraged the establishment of multijurisdictional police communication systems and is in the process of developing a statewide communications plan. It has influenced consolidation of police services in a number of localities; and the GJC, using Safe Streets funds, has played a leading role in the development of a statewide network of criminal justice computer systems.

The crime rate in Pennsylvania, as in other case study states, has increased since the inception of the program, from a reported 1,296.7 in 1968 to 2,458.8 in 1973. However, most interviewees believed that the crime rate was not the measure of the impact of the Safe Streets program, given funding limitations and the nature of crime. The attorney general, for example, stated: "Since the causes of crime are so broad, the knowledge about what is effective so limited, the criminal justice system so long neglected, the LEAA funds so limited (compared to national expenditures for welfare, highways, defense, etc.), it is not reasonable to expect the program to have a great impact on crime." Further, he questioned whether crime could be reduced without dealing with its root causes, which are largely outside the scope of the traditional criminal justice system.

Although the GJC has stressed development of intra- and inter-agency planning capabilities at all levels of government, its main purpose is seen to be disbursement of Federal funds rather than comprehensive planning. It is uncertain whether or not the agency would continue to exist if the Safe Streets program were ended. The former executive director thought it probably would, although with a reduced staff. The attorney general, on the other hand, believed that it would not, because it was unlikely that either the GJC or the RPCs would receive state or local financing.

SUMMARY OF MAJOR ISSUES

In Pennsylvania, a large urban state with a complex and fragmented criminal justice system, the administration of the Safe Streets program is largely regional. The overriding issue in the program has always been the degree of authority and responsibility resting with the eight regional planning councils as opposed to the GJC.

The GJC has divided action funds among the regions by formula and allowed the RPCs to determine what projects to fund. These regional plans, in turn, shape the state plan. Further, the commission seldom disagrees with a recommendation from one of the regional councils, although it retains formal authority to approve all applications. In effect, then, most control of Safe Streets monies rests with the regions, not the state.

Since Pennsylvania was one of the first states to experiment with decentralization, its regions have had more time to gain the recognition of units of government and to develop planning expertise. The field visits indicated that the regions achieved these objectives to varying degrees. Nevertheless, it is clear that the regions are setting priorities, establishing their own policies and criteria, and making decisions about the distribution of Safe Streets dollars. They are also increasingly assuming an active role in evaluating the results of activities supported by the Safe Streets program.

Conversely, the GJC's posture has been almost totally reactive, responding to proposals rather than giving direction. The GJC has established few priorities or funding policies that restrict state or local agencies in their use of Safe Streets monies. While it can be argued that this approach properly vests authority in those closest to the problems, some believe that the GJC has abrogated its responsibility to provide leadership and has delegated too much authority to the regions.

The GJC is a relatively weak agency. Lacking strong legislative or gubernatorial support and not well respected by some powerful state agencies, it is unable to control completely the use of Safe Streets funds, much less to influence the use of other criminal justice resources within the state. While some interviewees encourage the GJC to assume a more active role in setting policy and priorities, it seems that few steps have been taken in that direction yet, with the possible exception of the new planning initiatives and program-evaluation effort.

An allied issue is the regions, structure, which involves both state and RPC personnel. In some regions, this staffing pattern creates a conflict, with two administrators working side by side and attempting to respond to two different constituencies. At times, local officials interpret the presence of state staff as Harrisburg's attempt to dominate the regional councils. In other circumstances, however, the regional directors (state staff) have developed close relations with the councils and their planning staff.

The third major area of concern centers on the relationship of the state's major localities (Allegheny County, the City of Pittsburgh and the City of Philadelphia) to their respective regional planning councils and the SPA. By virtue of their size and crime problems alone, these jurisdictions play commanding roles in the Pennsylvania Safe Streets program. In Philadelphia, this posture is accentuated by the political visibility of the incumbent mayor. None of these three areas has been particularly satisfied with the block grant program. Their common concerns focus on three general issues. First, they believe they are inadequately represented on both the RPC and the GJC boards. (In Philadelphia, the RPC was viewed as an artificial body forced on the city by the state and lacking in both authority and accountability.) Secondly, these localities (and several others) complained about the bureaucratic excesses of the program and, in particular, the GJC's placing special conditions on local project applications. Thirdly, they are unhappy with the revised regional allocation formula under which all three stand to receive fewer funds.

In conclusion, Pennsylvania illustrates a decentralized administration of the Safe Streets program characterized by strong regional planning units and a weak state planning agency (GJC). Criminal justice planning, to the extent that it exists, takes place at the regional and local levels without overall state direction or leadership. Despite this decentralization, there is also serious dissatisfaction with the program on the part of the states' major urban jurisdictions—reflecting, in part, the differences between these jurisdictions, the state, the suburbs and the rural localities.

FOOTNOTES

[1] U.S. Department of Commerce, Bureau of the Census, *Census of Governments*, vol. I: *Government Organization* (Washington, D.C.: Government Printing Office, 1973), p. 110.

[2] U.S. Department of Justice, Federal Bureau of Investigation, *Crime in the United States 1973: Uniform Crime Reports* (Washington, D.C.: Government Printing Office, 1974), pp. 60, 61, 73.

[3] U.S. Department of Commerce, Bureau of the Census, *Census of Governments*, p. 110.

[4] U.S. Department of Justice and U.S. Department of Commerce, *Expenditure and Employment Data for the Criminal Justice System, 1972-73* (Washington, D.C.: Government Printing Office, 1975), pp. 34-35.

[5] *FY 1975 Pennsylvania State Plan*, p. A-125.

[6] Pennsylvania, Governor Milton J. Shapp, Executive Order, June 2, 1975.

[7] Gerald N. Massaro, Criminal Justice Program Director, County of Allegheny, to Representative John Conyers, Jr., April 11, 1975.

[8] Pennsylvania, Governor's Justice Commission, *Policy Manual and Directory*, April 1975, pp. II-4, II-5.

[9] *Ibid.*, p. 35.

[10] Edward J. Epstein, "The Krogh File-The Politics of Law and Order," *The Public Interest*, no. 39 (New York: National Affairs, Inc., 1975), pp. 109-112.

[11] *Ibid.*, p. 107.

APPENDIX 1

Pennsylvania Site Visits

Three researchers conducted the field work for this case study from June 9 through June 20, 1975. In addition to interviewing staff members of the GJC and other relevant state agencies, the field team visited four counties, three cities and three RPCs in the state. These jurisdictions, located in three distinct areas, were selected in order to provide geographic and demographic balance: the Philadelphia Region encompasses the nation's fourth largest city, with a population of over one million; the Allegheny Region includes Allegheny County and the City of Pittsburgh, the state's second largest city; the Northwest Region, includes the City and County of Erie and Jefferson County. The City of Erie is a smaller urban environment than either Pittsburgh or Philadelphia, though it is the third largest city in the state. Jefferson County is purely rural; Erie County has both urban and rural elements. A complete listing of the persons interviewed follows.

Interviews Conducted in Pennsylvania

Governor's Justice Commission

John Snavely, Executive Director
Charles Morn, Deputy Director
Thomas C. Berard, Director of Administration
Richard Allen, Director, Special Services Office
Thomas Buzby, Director, Policy Section
Joe Riggioni, Director, Program Support Division
Peter Rompler, Director, Comprehensive Planning
James Thomas, Comprehensive Planning
Christine Fossett, Director, Evaluation and Monitoring
Richard Reeser, Application Control
Ed Kaminsky, Application Control

State Criminal Justice Agencies

Erskind DeRamus, Executive Deputy Commissioner, Bureau of Corrections
Jerome Miller, Commissioner, Office of Children and Youth, Department of Public Welfare
William Gschwend, Office of Children and Youth
Major Sidney C. Deyo, Director, Bureau of Research and Development, Pennsylvania State Police
William Boor, Director, Pennsylvania Board of Probation and Parole
John R. McCool, Director, Bureau of Administrative Services, Pennsylvania Board of Probation and Parole
Judge Alexander F. Barbieri, Court Administrator of Pennsylvania, Supreme Court of Pennsylvania
Carlile King, Deputy Court Administrator
Lee Bernard, Chief Criminal Justice Analyst, Legislative Budget Office
George Rayburn, Pennsylvania Crime Commission

Commission Members

William Nagel, The American Foundation, Inc. 519
Senator Richard Snyder, 13th District (Lancaster and Chester), Appropriations Committee member

LEAA Regional Office

Chris Martin, Director of Operations
William Adams, Pennsylvania Representative

Regional Planning Units

Philadelphia

Yvonne Haskins, Regional Director, GJC, Philadelphia Region
Richard Moore, Chief Planner, Regional Council, Philadelphia Region
Alfred Dezi, Planner, Philadelphia Regional Council
Ted Schmaker, State Representative, GJC
Judge Paul Chalfin, Court of Common Pleas, Chairman, Philadelphia Regional Council

Allegheny

Rodney Torbic, Regional Director
Nancy Van Vuuren, Planning Director

Northwest Region

Raymond Frankenburg, Regional Director
Steven Delano, Chief Planner
Lawrence K. Grean, Manager of Public Affairs, General Electric Company, Chairman, Northwest Regional Planning Council

Localities

Philadelphia - City/County

Hillel Levinson, Managing Director, Member of the Regional Council
Tony Riley, Assistant to the Managing Director, Managing Director's Office
Dr. Rosengarten, Chief Deputy, Family Court
Ervin Davis, Deputy for Management, Family Court
Fredrick Downs, Chief Probation Officer, Member of the Regional Council
James Stewart, Administrative Assistant, Probation and Parole
President Judge Edward Bradley, Court of Common Pleas, City of Philadelphia
Commissioner Joseph F. O'Neill, Philadelphia Police Dept., Member of the Regional Council
John A. Craig, Chief Inspector, Community Relations, Philadelphia Police Dept., Member of the Regional Council
Stephen Lee, Mayor's Crime Improvement Team

Pittsburgh

Robert Coll, Superintendent of Police
Marilyn Cosetti, Assistant to the Mayor for Federal Relations
Ronald Jacoby, Criminal Justice Planner

City of Erie

Louis J. Tullio, Mayor, Member of the Regional Council
Samuel J. Gemelli, Chief of Police, Member of the Regional Council

Allegheny County

Charles H. Starrett, Jr., Courts Administrator, Member of the Regional Council
Henry Ellenbogen, President Judge, Court of Common Pleas
Gerard Massaro, Criminal Justice Program Director
Maurice B. Cohill, Jr., Judge, Juvenile Section, Family Division, Court of Common Pleas, Member of the Regional Council
Dr. William Hunt, County Commissioner
Leonard C. Staisey, Chairman, County Commission, Member of the Regional Council

Jefferson County

John R. Caldwell, County Commissioner, Member of the Northwest Regional Council

Erie County

Lt. Robert Michel, Sheriff's Department
Edward Carney, President Judge
David Christersen, Chief Juvenile Probation Officer
Leo Wair, County Commissioner, Member of the Northwest Regional Council

APPENDIX 2

Responses to Local Questionnaires

Pennsylvania
1975

	Counties			Cities		
Population Group	Number Surveyed	Responding		Number Surveyed	Responding	
		No.	%		No.	%
Over 500,000	4	3	75	2	2	100
250,000 - 500,000	9	3	33	0	0	
100,000 - 249,999	16	3	19	3	2	67
50,000 - 99,999	13	4	23	14	10	71
25,000 - 49,999	16	4	19	30	13	43
10,000 - 24,999	6	2	17	115	32	28
TOTAL	64	19	30	159	59	37

Part IV

ACIR 1975 Safe Streets Survey

Appendix A

1975 SAFE STREETS ACT QUESTIONNAIRE
(STATE PLANNING AGENCIES)

RESPONDENT: ______________________________ PHONE: ______________

TITLE: ___________________________________

STATE: ___________________________________

(This questionnaire should be completed by the person most familiar with the overall operations of the SPA over the past several years. Usually this would be the Executive Director unless he or she has only recently assumed the position)

I. BACKGROUND AND STATUS OF CRIMINAL JUSTICE PLANNING

(This section is designed to determine what changes have taken place in criminal justice planning in your State since 1968. It addresses the planning activities of the SPA and the structure and responsibilities of the RPUs).

1. Were there any comprehensive criminal justice planning activities at the State, regional, or local levels in your State prior to the initiation of the Safe Streets block grant program in 1968? (Circle one) YES NO

   If YES, please describe the activities.

2. How would you describe the changes in your SPA's capabilities in the following activities over the past six years? (Check the appropriate column)

	GREATLY INCREASED	MODERATELY INCREASED	SLIGHTLY INCREASED	NO CHANGE	DECREASED
a) planning	___	___	___	___	___
b) establishing funding priorities	___	___	___	___	___
c) implementing funding priorities	___	___	___	___	___

	GREATLY INCREASED	MODERATELY INCREASED	SLIGHTLY INCREASED	NO CHANGE	DECREASED
d) monitoring	___	___	___	___	___
e) evaluation	___	___	___	___	___
f) grant review	___	___	___	___	___
g) research	___	___	___	___	___
h) technical assistance	___	___	___	___	___
i) auditing	___	___	___	___	___
j) other (specify)	___	___	___	___	___

COMMENTS:

526

3. a) Please indicate which of the Minimum Standards adopted by the National Conference of State Criminal Justice Planning Administrators have been achieved by your SPA. If not achieved, when do you anticipate meeting the remaining standards?

STANDARD	CHECK IF ACHIEVED	YEAR STANDARD WILL BE ACHIEVED
1. Planning	___	___
2. Auditing	___	___
3. Monitoring	___	___
4. Evaluation	___	___
5. GMIS/MIS	___	___
6. Grant Administration	___	___
7. Fund Flow	___	___
8. Organizational Structure	___	___

STANDARD	CHECK IF ACHIEVED	YEAR STANDARD WILL BE ACHIEVED
9. Training and Development	___	___
10. Public Information	___	___
11. Affirmative Action	___	___
12. Technical Assistance	___	___

b) What are your SPA's most important achievements as a result of implementing one or more of these standards and what problems have you encountered?

4. What actions have been taken by your State in the area of criminal justice standards and goals? (Check one or more)

a)____ Informal review of National Advisory Commission recommendations

b)____ Formal review of National Advisory Commission recommendations

c)____ Development of process for establishing State standards and goals

d)____ Establishment of State standards and goals

e)____ Adoption of National Advisory Commission recommendations in whole or in part

f)____ None

g)____ Other (specify) ______________________________

5. In developing the Annual Comprehensive Plan, to what extent do the planning activities of the SPA staff involve the following functions? (Check appropriate column.) Please rank the functions in the far right column in the order of importance of the functions to the SPA (1= most important, 14= least important)

	GREAT INVOLVEMENT	SOME INVOLVEMENT	LITTLE INVOLVEMENT	NO INVOLVEMENT	RANK
a) establish program categories	___	___	___	___	___
b) establish policies and priorities	___	___	___	___	___
c) conduct public hearings	___	___	___	___	___
d) analyze crime and criminal justice data	___	___	___	___	___
e) develop planning guidelines	___	___	___	___	___
f) analyze previous year's projects and programs	___	___	___	___	___
g) review regional plans	___	___	___	___	___
h) coordinate and assemble regional plans	___	___	___	___	___
i) assist RPU's in developing plans	___	___	___	___	___
j) assist local governments in developing plans	___	___	___	___	___
k) review and approval of Annual Plan by Supervisory Board	___	___	___	___	___
l) negotiate with Federal authorities	___	___	___	___	___

	GREAT INVOLVEMENT	SOME INVOLVEMENT	LITTLE INVOLVEMENT	NO INVOLVEMENT	RANK
m) review State criminal justice requests for SPA funds	___	___	___	___	___
n) plan for other State criminal justice agencies (Please specify agencies)					
________________	___	___	___	___	___
________________	___	___	___	___	___
________________	___	___	___	___	___
o) other (specify)					
________________	___	___	___	___	___
________________	___	___	___	___	___

6. Please rate the adequacy of Part B planning funds for carrying out planning responsibilities at each of the following levels: (Check appropriate column)

	EXCESSIVE	ADEQUATE	INADEQUATE
SPA	___	___	___
RPU or other regional units	___	___	___
Local government	___	___	___

7. a) If you indicated in question 6 that SPA planning funds were inadequate, to what extent, if any, are the following SPA functions and responsibilities hampered by a lack of Part B planning funds? (Check appropriate column) Also please indicate in the far right column the approximate percentage of professional staff time devoted to each function.

	GREATLY	MODERATELY	NOT AT ALL	CURRENT PERCENTAGE
1. planning	___	___	___	_______
2. grant management	___	___	___	_______

	GREATLY	MODERATELY	NOT AT ALL	CURRENT PERCENTAGE
3. assistance to applicants in project development	___	___	___	___
4. application development	___	___	___	___
5. application review	___	___	___	___
6. monitoring	___	___	___	___
7. auditing	___	___	___	___
8. evaluation	___	___	___	___
9. technical assistance	___	___	___	___
10. financial administration	___	___	___	___
11. other	___	___	___	___

b) If additional planning funds were made available, to which of the above functions would you allocate these funds and why?

8. If you indicated in question 6 that RPU planning funds were inadequate, to what extent, if any, are the following RPU functions and responsibilities hampered by a lack of Part B planning funds? If a function is not an RPU responsibility, check the far right column.

	GREATLY	MODERATELY	NOT AT ALL	NOT AN RPU RESPONSIBILITY
a) planning	___	___	___	___
b) grant management	___	___	___	___
c) assistance to applicants in project development	___	___	___	___
d) application development	___	___	___	___
e) application review	___	___	___	___
f) monitoring	___	___	___	___

	GREATLY	MODERATELY	NOT AT ALL	NOT AN RPU RESPONSIBILITY
g) auditing	___	___	___	___
h) evaluation	___	___	___	___
i) technical assistance	___	___	___	___
j) financial administration	___	___	___	___
k) other	___	___	___	___

9. a) What percentage of 1975 Part B planning funds did you pass through to local units of government? ________%

   b) Do you feel that the 60-40 pass-through formula for Part B planning funds provides the most appropriate division of planning resources between the State and local levels? (Circle one) YES NO

   c) If not, which level of government should receive more planning resources and why?

10. What percentage of your 1975 Part B planning funds was passed through separately to each of the following:

    Regional Planning Units?_________%

    Criminal Justice Coordinating Councils? __________%

    Cities over 250,000?____________%

    Cities under 250,000? ___________%

    Counties over 500,000?__________%

    Counties under 500,000? ________%

11. a) How many Regional Planning Units are there in your State?_________

    b) How and under what authority were they created?

    c) Were they created specifically for criminal justice purposes?

(Circle one) YES NO
Did they exist prior to Safe Streets funding? (Circle one) YES NO

d) If they are used for purposes other than criminal justice planning, please indicate these purposes.

e) Are RPUs part of a uniform statewide system of substate districts? (Circle one) YES NO

12. Did local units of government participate in establishing the Regional Planning Units? (Circle one) YES NO If YES, in what manner?

532

13. What changes, if any, have taken place in the geographical boundaries of these RPU's since 1969 and what caused these changes?

14. Which of the following criminal justice planning functions are generally performed by Regional Planning Units in your State: (Please indicate "YES" or "NO")

a) ____ Perform criminal justice planning for area of jurisdiction

b) ____ Coordinate criminal justice planning by units of local government

c) ____ Make planning subgrants to units of local government

d) ____ Review applications from units of local government for action subgrants before submission to the SPA

e) ____ Review applications from units of local government for action subgrants upon referral by the SPA or after receiving an information copy directly from the applicant

f) ____ Make action subgrants to units of local government

g) ____ Expend action funds as ultimate grantee

15. To what extent do the planning activities of the RPU's generally involve the following functions? (Check appropriate column) Please rank the functions below in the far right column in the order of the importance of the functions to the RPU. (1= most important, 10= least important)

	GREAT INVOLVEMENT	SOME INVOLVEMENT	LITTLE INVOLVEMENT	NO INVOLVEMENT	RANK	
a) establish program categories	___	___	___	___	___	
b) establish policies and priorities	___	___	___	___	___	
c) conduct public hearings	___	___	___	___	___	
d) analyze crime and criminal justice data	___	___	___	___	___	
e) assist local agencies in developing plans	___	___	___	___	___	
f) review local plans	___	___	___	___	___	533
g) coordinate and assemble local plans	___	___	___	___	___	
h) negotiate with State authorities	___	___	___	___	___	
i) Review and approval of Annual Plan by RPU Supervisory Board	___	___	___	___	___	
j) A-95 review process						

COMMENTS:

16. a) In your opinion, to what extent have the Regional Planning Units in your State developed a capacity to plan for the effective use of block grant funds? (Check one)

a) Highly developed planning capacity ______

b) Adequate planning capacity ______________

c) Inadequate planning capacity ___________

d) No planning capacity_________________

If, in general, there is inadequate planning capacity at the RPU level, please explain why this is so.

b) Please describe the extent to which the RPUs regularly participate in the SPA's criminal justice planning and program activities.

17. Has the SPA developed special procedures for submission and review of comprehensive plans by local units of government, or combinations thereof, with populations of 250,000 or more? (Circle one) YES NO

534 If YES, please describe these procedures.

II. COMPREHENSIVE PLAN DEVELOPMENT AND IMPLEMENTATION

(The purpose of this section is to gather information on the roles and influence of the SPA and RPU's in developing and implementing the Comprehensive Plan and the process by which the Plan is developed)

18. In the geographic areas covered by RPU's, which of the following has greater actual influence in determining which activities and jurisdictions receive funding at the local level? (Circle one) SPA RPUs

Why?

19. Does the SPA indicate, by formula or other means, the percentage of each year's Part C action funds each region will receive? (Circle one) YES NO

a) If YES, when does this take place with respect to local and regional plan preparation? (Check one)

1. Before preparation of the Regional Plan?____________

2. After review and consideration of the Regional Plan by the SPA?_____

b) What criteria or formulas are used to determine the division of funds among the regions?

c) Have the formulas or criteria been changed? (Circle one) YES NO
If YES, in what ways and for what reasons?

d) If there are no established criteria or formulas, on what basis are funds distributed to the RPU's?

19. e) What factors inhibit the development of an equitable distribution formula?

20. a) Does the SPA select which specific local activities will be included in the Annual Comprehensive Plan from among a large number of local projects proposed by the RPU, accepting some while rejecting others? (circle one)
YES NO

b) Does the SPA usually accept the RPU decisions and incorporate the Regional plan into the overall State Plan with few changes? (circle one)
YES NO

21. In the planning or funding process, has the SPA established policies or priorities which exclude certain activities or projects from funding and encourage others? (Circle one) YES NO

a) If YES, please list the most important current policies or priorities.

b) To what extent are these policies and priorities influenced by the following: (Check appropriate column)

	GREAT INFLUENCE	SOME INFLUENCE	NO INFLUENCE
1. LEAA priorities	___	___	___
2. Congressional priorities as expressed in the ACT and amendments thereto	___	___	___
3. The Governor	___	___	___
4. The State Legislature	___	___	___
5. SPA Supervisory Board	___	___	___
6. SPA staff	___	___	___
7. Other State criminal justice agencies (specify below)			
______________________________	___	___	___
______________________________	___	___	___
8. RPUs	___	___	___
9. local governments	___	___	___
10. interest groups (specify)			
_________________________	___	___	___
_________________________	___	___	___
11. other (specify)	___	___	___

22. Do most RPUs establish their own funding policies and priorities?
(Circle one) YES NO
If YES, please answer a, b, and c

a) How are these determined?

b) How often do these priorities conflict with those established by the SPA? (Circle one)

USUALLY SOMETIMES RARELY NEVER

c) How are such conflicts resolved?

23. a) In your planning process what percentage of your Part C funds are earmarked for specific projects which have been identified by local and State agencies? ________% 537

b) In your planning process, what percentage of the Part C funds do you set aside in broad categories under general statements of needs or problems without having identified the specific project to be funded? ________%

24. If the SPA receives more requests for funds in a particular category than it can support, how important are the following factors in choosing from among them?

	VERY IMPORTANT	MODERATELY IMPORTANT	LITTLE IMPORTANCE	NOT AT ALL IMPORTANT
a) examination of data to determine need	___	___	___	___
b) completeness of the application	___	___	___	___
c) conformity with priorities of SPA	___	___	___	___
d) first-come-first-served	___	___	___	___
e) apparent need	___	___	___	___
f) geographical or population balance	___	___	___	___
g) political influence of the applicant	___	___	___	___

	VERY IMPORTANT	MODERATELY IMPORTANT	LITTLE IMPORTANCE	NOT AT ALL IMPORTANT
h) judgment of project quality	___	___	___	___
i) qualifications of applicant	___	___	___	___
j) number of years of previous support	___	___	___	___
k) length of commitment requested	___	___	___	___
l) grantee financial commitment (MATCH)	___	___	___	___
m) other (specify)	___	___	___	___

25. Please describe the effects of the categorization of block grant funds
538 in the Annual Plan on:

a) the discretion and flexibility of the SPA when later awarding funds.

25. b) the use of the funds by State and local applicants?

26. If the SPA establishes additional categories for the use of block grant funds, please indicate the nature of and reasons for this action and describe the effects of this additional categorization on the discretion of applicants in using Safe Streets funds.

27. Please indicate the effects, if any, of each of the following kinds of restrictions and requirements on the SPA's and applicants' ability to carry out their responsibilities. Please specify the particular restrictions and requirements to which you are referring.

a) Federal or State statutory requirements (specify):

b) LEAA administrative requirements (specify):

c) SPA administrative requirements (specify):

d) Other State administrative requirements (specify):

539

28. To what extent does the allotment of funds to specific activities in the State Plan reflect identified needs and problems as determined by a statistical analysis of crime rates or criminal justice data? (Circle one)

ALWAYS USUALLY SOMETIMES RARELY NEVER

29. a) In your opinion, over the years, what percentage of the projects included in your comprehensive plans ultimately received funding? ________%

b) What percentage have been actually implemented and carried through to completion of the grant period? ______%

c) What percentage of projects which were awarded funds never got off the ground?________%

d) How and for what reasons have each of these percentages changed over the years?

30. a) Are there any areas (functional or jurisdictional) which have been purposely excluded or de-emphasized in your Annual Plan? (Circle one)
YES NO
If YES, please specify which areas and why?

b) In your opinion, are there any functional areas or jurisdictions which consistently request far greater resources than the SPA is able to provide? (Circle one) YES NO
If YES, which areas and approximately what percentage of their requests are funded?

c) In your opinion, are there any functional areas or jurisdictions which consistently request less funds than they need? (Circle one) YES NO
If YES, which areas and why?

540

III SUPERVISORY BOARD ROLES

(The purpose of this section is to determine the characteristics, responsibilities, and relationships of the SPA and RPU Supervisory Boards and their roles in the planning and funding activities of the SPA and the RPUs.)

31. To what extent does the Supervisory Board of the SPA take an active and influential role in reviewing and approving specific activities in the Annual Plan ? (Check one)

a) sets broad policies and priorities only_____

b) review and approval of general activities_____

c) review and approval of specific activities_____

d) accepts staff recommendations with review_____

e) accepts staff recommendations without review_____

f) other (specify)__________________________ _____

32. To what extent do the Supervisory Boards of the RPUs take an active and influential role in reviewing and approving specific activities in the Regional Plan? (Check one)

a) sets broad policies and priorities only____

b) review and approval of general activities____

c) review and approval of specific activities____

d) accepts staff recommendations with review____

e) accepts staff recommendations without review____

f) other (specify)______________________________ _______

33. To what extent does the SPA Supervisory Board take an active and influential role in reviewing and approving specific applications for funding? (Check one)

a) All approval and disapproval authority delegated to SPA staff____

b) Supervisory Board approves and disapproves applications above $_____

c) Supervisory Board approves and disapproves all applications normally without individual discussion except for a problem or controversial case ______

d) Supervisory Board approves and disapproves all applications, normally after discussing each of them________

e. Other (specify)____

34. To what extent does the RPU Supervisory Board take an active and influential role in reviewing and approving specific applications for funding? (Check one)

a) All approval and disapproval authority delegated to RPU staff ______

b) Supervisory Board approves and disapproves applications above $______

c) Supervisory Board approves and disapproves all applications normally without individual discussion except for a problem or controversial case ________

d) Supervisory Board approves and disapproves all applications, normally after discussing each of them _____

e) Other (specify)____

____

35. Does the SPA Supervisory Board review and approve Part B allocations to the SPA, RPUs, and local governments? (Circle one) YES NO

36. a) How many Executive Directors has your SPA had since 1969?________

b) If your SPA has had several Executive Directors, what are the reasons for this and what problems have occurred as a result of this turnover?

37. a) How many members are currently on the SPA Supervisory Board?______

b) On the average, what percentage of the SPA Board members attend meetings?______%

542 c) How are members of the SPA Board chosen or selected, and what is their tenure?

d) How is the Chairman selected?

38. a) Can all SPA Supervisory Board members send representatives to Board meetings? (Circle one) YES NO

b) If NO, can some members send representatives? (circle one) YES NO Please explain.

c) If YES, are these representatives allowed to vote? (Circle one) YES NO

d) Do local elected officials who are members often send criminal justice officials to represent them at SPA meetings? (Circle one) YES NO

e) If so, which officials are usually asked to attend as representatives?

39. What percentage of the members of the SPA Board represent the following groups: (Each category should total 100%)

a) Police_______%
Courts_______%
Prosecution and defense_______%
Corrections _____%
Juvenile Delinquency_____%
Public_____%
Other______________ _____%

b) State government_____%
elected officials_____%
appointed officials_____%
County government
elected chief executive or legislative officials_____%
elected law enforcement officials_____%
appointed officials_____%
City government
elected chief executive or legislative officials_____%
elected law enforcement official_____%
appointed officials_____%
Public_____%
Other______________ ______%

40. In your opinion, which of the above groups or individuals exercises the most influence over the decisions of the SPA Board?__________

Why?

41. To what extent does representation on the SPA Board determine which agencies and jurisdictions receive Safe Streets funds? (Circle one)

CRUCIAL	VERY IMPORTANT	SOMEWHAT IMPORTANT	NOT AT ALL IMPORTANT

42. a) Are any agencies, jurisdictions, or groups underrepresented on the SPA Board? (Circle one) YES NO

If YES, which ones and why?

42. b) Are any agencies, jurisdictions, or groups overrepresented on the SPA Board? (Circle one) YES NO
If YES, which ones and why?

544 43. Does the SPA Supervisory Board operate under approved by-laws? (Circle one) YES NO

44. In your opinion, what have been the effects of the 1973 requirement that a majority of the RPU Board consist of local elected officials?

45. In general, what role does the Governor play in the planning and funding activities of the SPA?

46. a) Does the Governor or his representative ever make recommendations, either formally or informally, concerning particular projects and programs seeking support from the SPA? (Circle one) YES NO

b) If YES, what influence do these recommendations have on whether the project or program receives funding from the SPA? (Circle one)

GREAT MODERATE VERY LITTLE NOT AT ALL

47. How would you characterize the SPA Supervisory Board's relationship with the Governor? (Check one)

a) Very independent __________

b) Occasional communication and consultation __________

c) Regular communication and consultation ________

d) Strong direction from the Governor ________

48. In general, how often is the need to accommodate particular jurisdictional or functional interests the determining factor in the decisions of the SPA Supervisory Board? (Circle one)

ALWAYS   OFTEN   SOMETIMES   RARELY   NEVER

49. In general, how often is the need to accommodate particular jurisdictional or functional interests the determining factor in the decisions of RPU Supervisory Boards? 545

ALWAYS   OFTEN   SOMETIMES   RARELY   NEVER

50. a) How often are applications approved by the Supervisory Board even if they have little or no relation to the Annual Action Program?

______ Never

______ Rarely

______ 1-5 percent of SPA allocations each year

______ 5-10 percent of SPA allocations each year

______ 10-25 percent of SPA allocations each year

______ over 25 percent of SPA allocations each year

b) If more than 5 percent are approved, is this considered a problem? If so, please explain?

IV FUNDING

(The purpose of the section is to gather information about issues relating to the use of Safe Streets funds including the kinds of activities supported, the duration of support, and the results achieved)

51. In your opinion, in the early years of the LEAA program, was the growth in Part C block grant action funds too rapid to allow the SPA to effectively plan the distribution of the funds, not rapid enough to meet the needs of the criminal justice system, or about right? (Circle one)

TOO RAPID NOT RAPID ENOUGH ABOUT RIGHT

COMMENTS:

52. a) Do you feel that the existing pass-through formula for Part C funds based on level of State/local expenditures provides the most appropriate division of resources between the State and local levels? (Circle one) YES NO

b) If not, which level of government should receive more resources and why?

c) Do you have any other objections to the pass-through formula or the data upon which it is based?

53. In your State, are local jurisdictions having greater criminal justice problems and needs receiving a proportionately greater share of block grant funds? (Circle one) YES NO

If not, why are they not?

54. In your opinion, what percentage of the projects and programs which have been supported by block grant funds in your State to date could be described as: (a and b should equal 100%)

a) routine activities of State or local agencies which usually would be supported by State or local funds if Safe Streets funds were not available? ______%

b) supplemental activities of local agencies which would probably not be supported by local funds if Safe Streets funds were not available? ______%

55. What percentage of the projects and programs could be described as: (a, b, c, and d should equal 100%)

a) innovative programs which would be considered pilot programs or tests and demonstrations of new approaches which have never been attempted. ______%

b) innovative programs and activities which, although new to your State, have been attempted in other places ______%

c) generally accepted programs and activities which have already been implemented widely in other areas of the country but not in your State ______%

d) generally accepted programs and activities which have already been implemented in other areas in your State ______%

56. What percentage of the projects and programs could be described as: (a, b and c should equal 100%)

a) successful in terms of their own goals and objectives? ______%

b) partially successful, in terms of their own goals and objectives______%

c) unsuccessful, in terms of their own goals and objectives ______%

57. What percentage of the projects and programs could be described as: (a, b, and c should equal 100%)

a) having a direct effect in reducing or preventing crime ______%

b) having an indirect effect in reducing or preventing crime ______%

c) having little or no effect, direct or indirect, in reducing crime_____%

58. What percentage of the projects and programs could be described as: (a, b and c should equal 100%

a) having a direct effect in improving the criminal justice system_____%

b) having an indirect effect in improving the criminal justice system ____ %

c) having little or no effect, direct or indirect in improving the criminal justice system ____ %

59. a) Over the past six years, to what extent have the various components of the criminal justice system begun to view themselves, and to function, as part of a highly integrated and interdependent system? (Circle one)

VERY MUCH　　SOMEWHAT　　NOT AT ALL

b) Which components of the criminal justice system have not been a part of this trend and why?

548 c) How important have the roles of the following been in encouraging and promoting a more systemized and coordinated approach to criminal justice problems? (Check appropriate column)

	CRUCIAL ROLE	IMPORTANT ROLE	MINOR ROLE	NO ROLE
SPA staff	___	___	___	___
SPA funds	___	___	___	___
RPU	___	___	___	___
State Criminal Justice funds (other than Safe Streets)	___	___	___	___
Local Criminal Justice funds (other than Safe Streets)	___	___	___	___
General Revenue Sharing funds	___	___	___	___

d) Please describe the ways in which the SPA has encouraged this trend.

60. a) What is your SPA's policy regarding the number of years an activity may receive Safe Streets Act funding from the State?

b) Does the SPA require that applicants provide an increased percentage of matching funds in successive years to receive continued SPA support? (Circle one) YES NO

c) If so, what are the percentages of matching funds required in each successive year of SPA support?

61. What percentage of the following fiscal year funds supported projects continued from previous fiscal years?

FY 1971 ______
FY 1972 ______
FY 1973 ______
FY 1974 ______
FY 1975 (estimated) ______

62. Will the projected cutback in Part C funds have any effect on the extent of continuation funding and the initiation of new programs by the SPA. (Circle one) YES NO
If YES, please specify.

63. a) Has the SPA developed or proposed any State legislation affecting the criminal justice system? (Circle one) YES NO

b) If YES, in what areas:

c) With what results?

64. Does the SPA do any of the following:

a) Draft proposed criminal justice legislation?
(Circle one) YES NO

b) Identify and track all proposed legislation affecting the criminal justice system as it enters the State legislative process?
(Circle one) YES NO

c) Advise the legislature on pieces of State criminal justice legislation?
(Circle one) YES NO

65. a) To what extent has your SPA experienced difficulty in obtaining legislative approval of the State buy-in and matching funds for the Safe Streets Program? (Circle one)

GREAT DIFFICULTY	SOME DIFFICULTY	NO DIFFICULTY

b) If you have experienced difficulties, what are they and how have they been resolved?

550

66. Does the SPA become involved in planning and budgeting for the activities of State criminal justice agencies other than those supported by Safe Street funds? (Circle one) YES NO

If YES, indicate below the functional agencies, the activities, and the extent of SPA involvement?

	GREAT INVOLVEMENT	SOME INVOLVEMENT	NO INVOLVEMENT
a) Planning programs- (specify agencies)	___	___	___
___	___	___	___
___	___	___	___
b) Reviewing and commenting on budgets- (specify agencies)	___	___	___
___	___	___	___
___	___	___	___
66. c) Evaluating programs- (specify agencies)	___	___	___
___			
___			

	GREAT INVOLVEMENT	SOME INVOLVEMENT	NO INVOLVEMENT
d) Obtaining matching funds- (specify agencies)	___	___	___
____________________	___	___	___
____________________	___	___	___
e) Other ____________ (specify agencies)	___	___	___
____________________	___	___	___

COMMENTS:

551

67. What is the influence of the SPA in the following areas? If this is not an SPA function, check the far right column.

	GREAT	MODERATE	LITTLE	NONE	NO ROLE
a) reviewing State criminal justice agency annual budget requests (specify agencies)	___	___	___	___	___
____________________	___	___	___	___	___
____________________	___	___	___	___	___
b) seeking State funds for SPA supported activities of State agencies (specify agencies)	___	___	___	___	___
____________________	___	___	___	___	___
____________________	___	___	___	___	___
c) evaluation of State agency projects supported by SPA funds (specify agencies)	___	___	___	___	___
____________________	___	___	___	___	___
____________________	___	___	___	___	___

	GREAT	MODERATE	LITTLE	NONE	NO ROLE
67. d) evaluation of State agency projects not supported by SPA funds (specify agencies)	___	___	___	___	___
______________________	___	___	___	___	___
______________________	___	___	___	___	___
e) auditing State agency activities (specify agencies)	___	___	___	___	___
______________________	___	___	___	___	___
______________________	___	___	___	___	___
f) other (specify)__________ (specify agencies) 552	___	___	___	___	___
______________________	___	___	___	___	___
______________________	___	___	___	___	___

68. a) Have any State criminal justice agencies consistently relied on Safe Streets funds to support a significant portion of their annual budget? (Circle one) YES NO

b) If YES, which agencies and what percentage of their budget?

AGENCY	AMOUNT OF SAFE STREETS FUNDS AND PERCENTAGE OF AGENCY BUDGET					
	FY 1972		FY 1973		FY 1974	
	AMOUNT	%	AMOUNT	%	AMOUNT	%
________________	______	___	______	___	______	___
________________	______	___	______	___	______	___
________________	______	___	______	___	______	___

c) How does this affect the SPA's flexibility in shifting funds to meet changing needs?

69. a) How often has the SPA performed special analyses and studies related to the criminal justice system at the request of its Supervisory Board, the Governor, or the heads of State agencies? (Circle one)

OFTEN SOMETIMES RARELY NEVER

b) Please describe these studies.

70. a) How often has the SPA received substantive requests for technical assistance from local and State criminal justice system agencies? (Circle one)

OFTEN SOMETIMES RARELY NEVER

b) What has been the SPA's response to these requests?

71. a) How often does the SPA have to assume the cost of criminal justice programs which did not receive funds in the State legislature and executive budget processes? (Circle one)

OFTEN SOMETIMES RARELY NEVER

b) Please indicate the particular kinds of criminal justice projects which tend to be denied funding in the State and local budget processes and turn to the SPA for funding?

72. a) How often does the State legislature or State budget office have to assume the cost of criminal justice projects which were omitted or rejected in the SPA planning process? (Circle one)

OFTEN SOMETIMES RARELY NEVER

b) Please describe the kinds of projects.

73. a) To what extent has your SPA been successful in getting State and local governments to assume the costs of projects and programs which were initiated and previously supported by Safe Streets funds? (Check one)

	GREAT SUCCESS	MODERATE SUCCESS	VERY LITTLE SUCCESS	NO SUCCESS
STATE:	___	___	___	___
LOCAL:	___	___	___	___

73. b) What types of projects are most often continued with State and local support when Safe Streets funding terminates?

c) To what extent are the following factors important in determining whether a project previously funded by block grant funds will be supported by State or local government? (Check appropriate column)

554

	VERY IMPORTANT	MODERATELY IMPORTANT	OF LITTLE IMPORTANCE	UNIMPORTANT
1. proven success of the project	___	___	___	___
2. ability of the governmental unit to support the project	___	___	___	___
3. functional area of the project (police,courts,corrections,etc)	___	___	___	___
4. innovativeness of the project	___	___	___	___
5. non-controversial nature of the project	___	___	___	___
6. political appeal or support of the project	___	___	___	___
7. Other (specify) ______________	___	___	___	___
______________________________	___	___	___	___

d) Approximately what percentage of the projects which were initiated with Safe Streets funds, but which no longer receive Safe Streets funds, are continuing to operate with State or local government support?______%

74. a) In planning for the distribution of Safe Streets funds, does the SPA itself assess the needs of the State criminal justice agencies and allocate funds accordingly? (circle one) YES NO

b) Does the SPA review requests made by the agencies based on the agencies' own assessment of their needs? (circle one) YES NO

75. a) If the Safe Streets program were discontinued, what is the likelihood that the SPA would continue to operate? (Circle one)

VERY CERTAIN LIKELY POSSIBLY UNLIKELY VERY DOUBTFUL

If so, in what capacity and with what support?

75. b) In such a situation, would the Regional Planning Units receive support from State or local governments and operate as a planning agency for the criminal justice system at the regional and local levels? (Circle one)

VERY CERTAIN LIKELY POSSIBLY UNLIKELY VERY DOUBTFUL

555

VI SUBGRANT AWARD AND ADMINISTRATION ISSUES

(Questions in this section are designed to provide information on the SPA's subgrant award procedures and related administrative issues including the evaluation and monitoring efforts of the SPA and the effects of restrictions on the use of block grant funds.)

76. a) How often during the year does your SPA award subgrants? (Monthly, quarterly, etc.)?____________

b) What is the average grant period of subgrants awarded by your SPA (1 yr., 2 yrs., etc.)?_________________

c) Please describe any problems caused by your method and timing of awarding subgrants.

77. Approximately how many weeks does it usually take during the award process for local projects for each of the following functions?

a) Development of the grant application by the subgrantee ________ wks

b) Review and approval of the application by the RPU ________ wks

c) A-95 clearance (unless concurrent with above steps) ________ wks

d) Review and approval of the application by SPA ________ wks

e) Receipt of funds by the subgrantee (from time of award) ________ wks

f) Total time from the development of the application through the receipt of funds by the subgrantee (if this does not equal a, b, c, and e combined, please explain why not) _______ wks

g) Please indicate if there are significant delays in any of the above steps and why?

78. Approximately how many weeks does it usually take during the award process for State agency projects for each of the following functions?

a) Development of the grant application by the subgrantee _____ wks

b) A-95 clearance (unless concurrent with c) _____ wks

556 c). Review and approval of the application by SPA _____ wks

d) Receipt of funds by the subgrantee (from time of award) _____ wks

e) Total time from the development of the application through the receipt of funds by the subgrantee (if this does not equal a, b, c and d combined, please explain why not) _____ wks

f) Please indicate if there are significant delays in any of the above steps and why?

79. a) Are all applications approved or disapproved in whole or part, no later than ninety days after receipt by the SPA? (Circle one) YES NO

b) Has the SPA had to award funds to a project because of the expiration of the 90 day deadline? (Circle one) YES NO

c) Please describe the procedures established by the SPA to insure compliance with the 90 day rule.

80. Please describe any difference you have noticed between the 25 percent "in-kind" matching requirements and the 10 percent cash matching requirements, in terms of applicants' willingness to provide matching funds and ultimately to assume project costs.

81. To what extent has the change to cash matching requirements curtailed the number of requests for Part C block grant funds for construction which require a 50 percent match? (Circle one) 557

ELIMINATED ALL REQUESTS	REDUCED SHARPLY	REDUCED MODERATELY	REDUCED SLIGHTLY	NO CHANGE

82. Please describe the SPA's policies and policies and activities in each of the following areas:

a) Civil Rights Guidelines

b) Comprehensive Data Systems

82. c) Security and Privacy Guidelines

83. What problems has the SPA experienced as a result of the different fiscal years and budget schedules of the Federal, State, and local governments?

84. How much programmatic and administrative flexibility and discretion has the block grant funding approach given the SPA in carrying out its responsibilities in the following areas: (Check appropriate column)

	GREAT DISCRETION	SOME DISCRETION	LITTLE DISCRETION	NO DISCRETION
a) control and use of funds	___	___	___	___
b) establishing action grant priorities	___	___	___	___
c) planning procedures	___	___	___	___
d) budgeting procedures	___	___	___	___
e) auditing procedures	___	___	___	___
f) evaluation procedures	___	___	___	___

Please describe how the amount of the SPA's programmatic and administrative flexibility and discretion in the above areas has changed over the years.

85. a) In your opinion, to what extent have Safe Streets funds supplanted or replaced previously budgeted State and local expenditures rather than being used to support new programs? (Check one)

	OFTEN	SOMETIMES	RARELY	NEVER
STATE:	___	___	___	___
LOCAL:	___	___	___	___

Under what conditions does this occur?

b) What is the number, percentage, and dollar value of Part B, C, and E subgrants audited of the following fiscal year's allocations?

	FY 1970	FY 1971	FY 1972
Total number of subgrants audited	___	___	___
Percentage of all subgrants audited	___%	___%	___%
Dollar value of all subgrants audited	$___	$___	$___

86. What were the amounts of Part B, Part C, and Part E funds reverted to the Federal government.

	FY 1969	FY 1970	FY 1971	FY 1972
PART B	___	___	___	___
PART C	___	___	___	___
PART E	___	___	___	___

87. To what extent do the following factors contribute to the problem of lapsed or unused funds which are returned to the Federal government? (Check one)

	PRIMARY FACTOR	CONTRIBUTES SOMEWHAT	NOT A CONTRIBUTING FACTOR
a) two year life of block grant funds	___	___	___
b) slow start of many projects	___	___	___

	PRIMARY FACTOR	CONTRIBUTES SOMEWHAT	NOT A CONTRIBUTING FACTOR
c) underspending by projects	___	___	___
d) lack of applicants for funds	___	___	___
87. e) slow development of applications by applicants	___	___	___
f) delays in the award process	___	___	___
g) Other (specify)			
______________________________	___	___	___
______________________________	___	___	___

560 88. a) What proportion of the following fiscal years' funds originally allocated in the Annual Plan had to be reallocated?

FY 1971 __________%

FY 1972 __________%

FY 1973 __________%

b) What were the major reasons for these reallocations?

(For the purposes of the next section, monitoring will be defined as a periodic on-site assessment of the progress, problems, and results to date of a project. Evaluation will be defined as an in-depth analysis of the overall results and impact of a project in meeting its objectives.)

89. With respect to SPA monitoring activities:

a) Are the monitoring activities sufficient to generate adequate information for SPA management, planning and funding decisions? (Circle one)
YES NO

b) Are monitoring activities carried out regularly and in time for decisions to be made based upon monitoring information? (Circle one)
YES NO

90. a) Is the kind of data and information collected through the monitoring process sufficient to assess project/activities and performance?
(Circle one) YES NO

b) Is monitoring information actually used to modify the operations of projects and affect SPA planning and funding decisions? (Circle one)
YES NO

91. Has the SPA developed a state evaluation strategy outlining a program for evaluating the results and impact of the activities it supports? (Circle one) YES NO

92. If YES, does it appear that the staff and other resources available are adequate to carry out the SPA's evaluation responsibilities outlined in that strategy? (Circle one) YES NO

93. a) What percentage of your projects do you evaluate each year? (Do not include routine monitoring efforts) ________%

b) What percentage of your total block grant funds do you evaluate? ____%

c) For what purposes are evaluation funds generally utilized?

	YES	NO	% OF EVALUATION FUNDS
Consultants	___	___	___
SPA staff	___	___	___
Other (specify)			
____________________	___	___	___

d) What percentages of Part B, Part C, and Part E funds were devoted to evaluation in each of the following years?

	PART B	PART C	PART E
FY 1970	___	___	___
FY 1972	___	___	___
FY 1974	___	___	___

94. To what extent have your SPA's evaluation efforts increased or decreased since 1973? (Circle one)

GREATLY INCREASED MODERATELY INCREASED NO CHANGE MODERATELY DECREASED GREATLY DECREASED

95. To what extent have the evaluations that your SPA has conducted had any effect in the following areas? (Check appropriate column)

	GREAT INFLUENCE	MODERATE INFLUENCE	LITTLE INFLUENCE	NO INFLUENCE
a) project refunding	___	___	___	___

	GREAT INFLUENCE	MODERATE INFLUENCE	LITTLE INFLUENCE	NO INFLUENCE
b) on-going modification of projects	___	___	___	___
c) provided feedback to the planning process	___	___	___	___
d) assumption of project costs by State and local government	___	___	___	___
95. e) developing new funding priorities	___	___	___	___
f) other (specify)				
________________	___	___	___	___
562 ________________	___	___	___	___

96. a) Do RPUs have a substantial role in project monitoring or program evaluation? (Circle one) YES NO

b) If so, do their staff and other resources appear to be adequate for carrying out this role? (Circle one) YES NO

c) If RPUs are involved, has the SPA provided guidelines, training, and other forms of assistance to ensure adequate monitoring and evaluation? (Circle one) YES NO

VI ROLE OF THE LEAA REGIONAL OFFICES

(The purpose of this section is to gather information about the role of the LEAA Regional Offices in the block grant program)

97. In the three columns on the left, please indicate, by checking the appropriate column, how useful each of the following LEAA Regional Office activities is to your SPA. In the three columns on the right, please indicate how helpful the LEAA Regional Office has been to the SPA in carrying out these activities.

	ESSENTIAL	USEFUL	UNNECESSARY	VERY HELPFUL	MODERATELY HELPFUL	NOT AT ALL HELPFUL
a) interpreting Federal guidelines	___	___	___	___	___	___
b) reviewing annual plans	___	___	___	___	___	___

	ESSENTIAL	USEFUL	UNNECESSARY	VERY HELPFUL	MODERATELY HELPFUL	NOT AT ALL HELPFUL
c) applying and enforcing requirements	___	___	___	___	___	___
d) providing technical assistance	___	___	___	___	___	___
e) communications with Federal authorities	___	___	___	___	___	___
f) distributing discretionary funds	___	___	___	___	___	___
97. g) responding to SPA requests	___	___	___	___	___	___
h) applying and enforcing special conditions on State plans	___	___	___	___	___	___
i) encouraging national priorities in State plans	___	___	___	___	___	___
j) other (specify)						
______________	___	___	___	___	___	___
______________	___	___	___	___	___	___

98. How many weeks did it require for the LEAA Regional Office to review and approve your Annual Plan for the following years:

1970: ______ wks

1972: ______ wks

1974: ______ wks

1975: ______ wks (if known)

99. a) How do you perceive the present role of the State representative in the Regional Office?

b) What should the role of the State representative be?

100. Has the LEAA Regional Office ever:

	OFTEN	SOMETIMES	RARELY	NEVER
a) disapproved your State plan?	___	___	___	___
b) disapproved selected programs or projects in the State plan?	___	___	___	___
c) delayed approval of the State plan?	___	___	___	___
564 d) placed special conditions on final approval of the State plan?	___	___	___	___

101. In your opinion, to what extent do the LEAA Regional Offices take account of individual State differences in carrying out the following activities: (Check appropriate column)

	GREAT DIFFERENTIATION	SOME DIFFERENTIATION	NO DIFFERENTIATION
a) in reviewing State plans	___	___	___
b) in enforcing guidelines and requirements	___	___	___
c) in providing technical assistance	___	___	___
d) other (specify)	___	___	___

COMMENTS:

102. Since 1969, approximately what percent of LEAA discretionary funds have been used in your State for the following purposes:

a) to continue support of existing programs _____%

b) to support innovative programs ________%

c) to fill gaps in block grant funding ______%

d) to build local jurisdictional support for the program _____%

e) research, demonstration, and pilot programs _____%

103. To what extent has the annual development of the following comprehensive plan components proven to be a useful process for the SPA. (Check appropriate column)

	ESSENTIAL	VERY HELPFUL	SOMEWHAT USEFUL	OF LITTLE USE	OF NO USE
a) Existing Law Enforcement Systems and Available resources	___	___	___	___	___
b) Needs and Problems	___	___	___	___	___
c) Statement of State Standards, Practices, and Goals	___	___	___	___	___
d) Multi-year Budget and Federal Plan	___	___	___	___	___
e) Multi-year Forecast of Results and Accomplishments	___	___	___	___	___
f) Annual Action Program	___	___	___	___	___
g) Related Plans, Programs & Systems	___	___	___	___	___
h) Progress Report	___	___	___	___	___

VII GENERAL ISSUES

(The following section deals with several broad issues concerning the block grant program, including its effect on crime.)

104. a) Has crime increased or decreased in your State since 1969? (Circle one)
INCREASED DECREASED

b) In your opinion, to what extent have the following factors contributed to an increase in crime since 1969? (Check appropriate column)

	SUBSTANTIALLY	MODERATELY	SLIGHTLY	NOT AT ALL
1. increased drug abuse	___	___	___	___
2. increased juvenile crime	___	___	___	___

	SUBSTANTIALLY	MODERATELY	SLIGHTLY	NOT AT ALL
3. increased crime reporting	___	___	___	___
4. increased unemployment	___	___	___	___
5. other (specify)				
____________________	___	___	___	___
____________________	___	___	___	___

105. In your opinion, what success have block grant funds had in reducing crime or slowing the growth in the crime rate? (Circle one)

GREAT SUCCESS

MODERATE SUCCESS

LITTLE SUCCESS

NO SUCCESS

566 COMMENTS:

106. Considering the nature of crime and the amount of Safe Streets Act funds involved, what kind of reduction in crime should reasonably be expected as a result of the block grant program? (Circle one)

GREAT REDUCTION

MODERATE REDUCTION

LITTLE REDUCTION

NO REDUCTION

COMMENTS:

107. In your opinion, to what extent would the crime rate have been greater today if Safe Streets Act funds had not been available over the past six years? (Circle one)

FAR GREATER

MODERATELY GREATER

SLIGHTLY GREATER

NO GREATER

108. a) In your opinion, how do State and local recipients of Safe Streets block grant funds view these funds? (Circle one)

	STATE RECIPIENTS		LOCAL RECIPIENTS	
1. as State funds?	YES	NO	YES	NO
2. as Federal funds?	YES	NO	YES	NO
3. Other? (specify)				

____

b) Do recipients understand the differences between Safe Streets block grant funds and other law enforcement funds administered by the State? (Circle one)

1. State agency recipients	YES	NO
2. RPU recipients	YES	NO
3. Local recipients	YES	NO

109. Please rank each of the following in terms of its importance as an objective of the Safe Streets program (1= most important objective; 5= least important objective). Assume for the moment that all of these objectives aim toward the overall goal of reducing crime. If it is not an objective, check the far right column.

POSSIBLE OBJECTIVES	RANK	NOT AN OBJECTIVE
a) provide State and local governments with a comprehensive criminal justice planning capacity	___	_____
b) provide funds to supplement State and local criminal justice budgets	___	_____
c) provide funds to support innovative, pilot, and demonstration criminal justice programs	___	_____
d) replace existing criminal justice expenditures by State and local governments	___	_____
e) give State and local governments greater latitude and flexibility in the use of Federal funds for law enforcement and criminal justice	___	_____
f) Other (specify)____________________	___	_____

110. a) To what extent have general revenue sharing funds been used for criminal justice purposes by the following units of government: Check appropriate column)

	VERY MUCH	MODERATELY	VERY LITTLE	NOT AT ALL	DON'T KNOW
1. STATE GOV'T	___	___	___	___	___
2. LOCAL GOV'T	___	___	___	___	___
3. OTHER (SPECIFY)	___	___	___	___	___

b) Have the SPA or the RPUs played any role in planning for the use of general revenue sharing funds by State and local governments?
(Circle one) YES NO
If so, please describe this role.

State:

568

Local:

110. c) To what extent have each of the following components of the criminal justice system been aided by general revenue sharing funds?

	SUBSTANTIALLY	MODERATELY	NONE	DON'T KNOW
1. police	___	___	___	___
2. courts	___	___	___	___
3. corrections	___	___	___	___
4. juvenile delinquency	___	___	___	___
5. other (specify)	___	___	___	___

d) Please describe, if possible, any differences in the use to which block grant funds and general revenue sharing funds have been put in the criminal justice area.

111. How does the SPA see its long-range role in relation to operational criminal justice agencies?
(Check as many as apply in each functional area)

	POLICE SERVICES	COURTS	CORRECTIONS	JUVENILE DELINQUENCY	DRUG & ALCOHOL ABUSE	LAW REFORM
a) Primary force for change in the State	___	___	___	___	___	___
b) One of several groups working for change	___	___	___	___	___	___
c) Coordinating and legitimizing other groups' efforts	___	___	___	___	___	___
d) Disseminating information on new approaches that have proven successful elsewhere	___	___	___	___	___	___ 569
e) Source of funding to support other agencies' efforts to modernize	___	___	___	___	___	___
f) Source of funding to supplement inadequate State and local resources ("revenue-sharing")	___	___	___	___	___	___
g) Not currently involved	___	___	___	___	___	___

112. Listed below are various activities which may represent possible improvements in the criminal justice system. By checking one of the three columns on the left, please indicate the extent to which these improvements have occurred in your State since 1969. Also, by checking one of the three columns on the right, please indicate the influence of Safe Streets block grant funds in bringing about the improvements.

	EXTENT OF IMPROVEMENT			INFLUENCE OF SAFE STREET FUNDS		
	GREAT	MODERATE	NONE	GREAT	MODERATE	NONE
POLICE AND LAW ENFORCEMENT:						
a) consolidation of small police depts.	___	___	___	___	___	___

	EXTENT OF IMPROVEMENT			INFLUENCE OF SAFE STREETS FUNDS		
	GREAT	**MODERATE**	**NONE**	**GREAT**	**MODERATE**	**NONE**
b) updated the equipment inventory of police depts.	___	___	___	___	___	___
c) developed new and improved equipment	___	___	___	___	___	___
d) improved organization of police depts.	___	___	___	___	___	___
e) improved police communications capacity	___	___	___	___	___	___
f) more effective patrol techniques	___	___	___	___	___	___
g) improved police response time	___	___	___	___	___	___
h) increased use of civilians in police depts	___	___	___	___	___	___
i) improved police education and training	___	___	___	___	___	___
j) increased the number of policemen	___	___	___	___	___	___
k) increased police salaries	___	___	___	___	___	___
l) better detection and use of evidence	___	___	___	___	___	___
m) improved police facilities	___	___	___	___	___	___
n) increased use of alcohol and drug abuse detox centers	___	___	___	___	___	___
o) increased police planning, research, and evaluation	___	___	___	___	___	___
p) recruitment of minority police	___	___	___	___	___	___

570

	EXTENT OF IMPROVEMENT			INFLUENCE OF SAFE STREETS FUNDS		
	GREAT	**MODERATE**	**NONE**	**GREAT**	**MODERATE**	**NONE**
q) recruitment of women police	___	___	___	___	___	___
r) decreased police corruption	___	___	___	___	___	___
s) improved crime laboratories	___	___	___	___	___	___
t) criminal code revision	___	___	___	___	___	___
u) other (specify) ___	___	___	___	___	___	___

571

COURTS, PROSECUTION, AND DEFENSE

	GREAT	**MODERATE**	**NONE**	**GREAT**	**MODERATE**	**NONE**
a) more unified court system	___	___	___	___	___	___
b) established or strengthened Office of State Court Administrator	___	___	___	___	___	___
c) updated court scheduling system	___	___	___	___	___	___
d) reduction in court backlog	___	___	___	___	___	___
e) reduction in court processing time	___	___	___	___	___	___
f) improved pretrial screening	___	___	___	___	___	___
g) creation of alternatives to trial	___	___	___	___	___	___
h) reduction in plea bargaining	___	___	___	___	___	___
i) uniform plea bargaining procedures	___	___	___	___	___	___

	EXTENT OF IMPROVEMENT			INFLUENCE OF SAFE STREETS FUNDS		
	GREAT	**MODERATE**	**NONE**	**GREAT**	**MODERATE**	**NONE**
j) pre-trial release alternatives	___	___	___	___	___	___
k) bail reform efforts	___	___	___	___	___	___
l) judicial training and education efforts	___	___	___	___	___	___
m) decriminalization of selected crimes	___	___	___	___	___	___
n) improved caseflow management	___	___	___	___	___	___
572 o) decreased role of part-time prosecutors and defense counsel	___	___	___	___	___	___
p) increased prosecutorial services	___	___	___	___	___	___
q) increased public defender services	___	___	___	___	___	___
r) improved prosecution and defense training	___	___	___	___	___	___
s) increased diversion of juveniles	___	___	___	___	___	___
t) improved court facilities	___	___	___	___	___	___
u) improved court record-keeping	___	___	___	___	___	___
v) improved sentencing information	___	___	___	___	___	___
w) improved sentencing practices	___	___	___	___	___	___
x) increased use of release-on-recognizance	___	___	___	___	___	___
y) other (specity) ______________	___	___	___	___	___	___

	EXTENT OF IMPROVEMENT			INFLUENCE OF SAFE STREETS FUNDS		
	GREAT	**MODERATE**	**NONE**	**GREAT**	**MODERATE**	**NONE**
___	___	___	___	___	___	___
___	___	___	___	___	___	___
CORRECTIONS, PROBATION, AND PAROLE:						
a) built new correctional institutions	___	___	___	___	___	___
b) improved existing correctional institutions	___	___	___	___	___	___
c) increased training for correctional personnel	___	___	___	___	___	___
d) improved diagnostic and classification services	___	___	___	___	___	___
e) increased treatment alternatives	___	___	___	___	___	___
f) expanded community-based alternatives	___	___	___	___	___	___
g) increased use of probation and parole	___	___	___	___	___	___
h) improved probation and parole services	___	___	___	___	___	___
i) improved drug treatment for inmates	___	___	___	___	___	___
j) improved educational opportunities for inmates	___	___	___	___	___	___
k) increased use of work release programs	___	___	___	___	___	___
l) improved treatment of juvenile offenders	___	___	___	___	___	___
m) improved treatment of women offenders	___	___	___	___	___	___
n) increased corrections research and evaluation	___	___	___	___	___	___

	EXTENT OF IMPROVEMENT			INFLUENCE OF SAFE STREETS FUNDS		
	GREAT	MODERATE	NONE	GREAT	MODERATE	NONE
o) improved administrative justice for offenders	___	___	___	___	___	___
p) improved security measures	___	___	___	___	___	___
q) other (specify)						
____________________	___	___	___	___	___	___
____________________	___	___	___	___	___	___
____________________	___	___	___	___	___	___

574 JUVENILE DELINQUENCY

a) established youth service bureaus	___	___	___	___	___	___
b) increased diversion	___	___	___	___	___	___
c) established court intake units	___	___	___	___	___	___
d) decreased incarceration of juveniles in adult facilities	___	___	___	___	___	___
e) expanded counseling and referral services	___	___	___	___	___	___
f) expanded recreation and education services	___	___	___	___	___	___
g) established half-way houses for juveniles	___	___	___	___	___	___
h) established family courts	___	___	___	___	___	___
i) decreased construction of new juvenile institutions	___	___	___	___	___	___
j) improved training for police handling juvenile crime	___	___	___	___	___	___

	EXTENT OF IMPROVEMENT			INFLUENCE OF SAFE STREETS FUNDS		
	GREAT	MODERATE	NONE	GREAT	MODERATE	NONE
k) expanded alternatives to incarceration	___	___	___	___	___	___
l) other (specify)						
________________	___	___	___	___	___	___
DRUGS AND ALCOHOL						
a) increased use of drug and alcohol emergency units	___	___	___	___	___	___
b) established methadone clinics	___	___	___	___	___	___
c) expanded counseling, vocational training and job referral services	___	___	___	___	___	___
d) improved and expanded crisis intervention	___	___	___	___	___	___
e) established therapeutic communities	___	___	___	___	___	___
f) established half-way houses for drug and alcohol abusers	___	___	___	___	___	___
g) decriminalized drunkenness	___	___	___	___	___	___
h) increased drug and alcohol abuse education	___	___	___	___	___	___
i) established hot lines	___	___	___	___	___	___
j) improved training for drug and alcohol personnel	___	___	___	___	___	___
k) other (specify)						
________________	___	___	___	___	___	___

	EXTENT OF IMPROVEMENT			INFLUENCE OF SAFE STREETS FUNDS		
	GREAT	MODERATE	NONE	GREAT	MODERATE	NONE
COMMUNITY CRIME PREVENTION						
a) established rape prevention and education services	___	___	___	___	___	___
b) improved law-related education in schools	___	___	___	___	___	___
c) expanded volunteer programs	___	___	___	___	___	___
d) established citizen complaint offices in police depts.	___	___	___	___	___	___
e) expanded police-community relations activities	___	___	___	___	___	___
f) improved street lighting	___	___	___	___	___	___
g) revised building codes	___	___	___	___	___	___
h) improved burglary prevention	___	___	___	___	___	___
i) established anti-shoplifting campaigns	___	___	___	___	___	___
j) other (specify) ______________________	___	___	___	___	___	___

113. In your opinion, what are the most important factors, prerequisites, or preconditions necessary for the success of a block grant program, such as that established by the Safe Streets Act?

114. In your opinion, what legislative or administrative changes are needed in the Safe Streets program to improve block grant operation?

577

PLEASE RETURN TO:

Advisory Commission on
Intergovernmental Relations
726 Jackson Place
Washington, D.C. 20575

ATTN: Safe Streets Project Staff

Appendix B

Advisory Commission on Intergovernmental Relations

1975 Safe Streets Act Questionnaire

Regional Planning Units

Respondent	____________________	Name of RPU	____________________	
Title	____________________	State	____________________	
Address	____________________	SMSA(s)	____________________	579
	____________________	Phone	____________________	

This questionnaire should be completed by the person most familiar with the overall operations of the RPU over the past several years. Usually this would be the Executive Director and/or Chief Criminal Justice Planner unless he or she has only recently assumed the position.

I. BACKGROUND AND STATUS OF CRIMINAL JUSTICE PLANNING

1. A. In what year was your agency established?.................. 19________
(7-8)

B. By what means and under what authority was it established? (Check the authority under which you currently operate.) If there have been changes in the executive order or statutory bases of authority, please indicate the years of operation under each.

	Number of years
9-____1. Executive order..................................	____________ (10-11)
____2. Statute..	____________ (12-13)
____3. No legal basis......................................	____________ (14-15)

2. A. Was your agency initially established specifically for criminal justice planning purposes? (Circle appropriate number)... YES 1 NO 2 16

B. Has your agency assumed additional regional planning and other responsibilities? (Circle appropriate number)......... YES 1 NO 2 17

If "YES," please indicate any such responsibilities. (Check all applicable)

18 ______a. Comprehensive regional planning ("701")
19 ______b. Health services and facilities planning
20 ______c. Manpower planning
21 ______d. Transportation planning
22 ______e. Economic development planning
23 ______f. Air quality control
24 ______g. Water quality control
25 ______h. A-95 clearinghouse
26 ______i. Other (specify) ______________________________

C. Did local governments participate in establishing your RPU?. YES 1 NO 2 27

If "YES," in what ways?

____
____
____
____

580

3. A. How many of each of the following local governments does your region encompass?

1972 Census population	Municipalities (cities, towns)	Counties	Townships
a. Over 250,000...............	______ (28-31)	______ (32-35)	______ (36-39)
b. 100,000 - 249,999..........	______ (40-43)	______ (44-47)	______ (48-51)
c. 50,000 - 99,999..........	______ (52-55)	______ (56-59)	______ (60-63)
d. 25,000 - 49,999..........	______ (64-67)	______ (68-71)	______ (72-75)
e. 10,000 - 24,999..........	______ (7-10)	______ (11-14)	______ (15-18)
f. Under 10,000...............	______ (19-22)	______ (23-26)	______ (27-30)
TOTAL NUMBER IN REGION	______ (31-34)	______ (35-38)	______ (39-42)

B. What is the total population of your region according to the 1972 Census? (State actual number)......................... ______ (43-50)

C. What percentage of the state's population is encompassed by your region?.. ______% (51-53)

4. How would you describe your region compared with others in your state in terms of the following factors? (Circle one in each row)

a. Primarily urban 1	Urban-rural mix 2	Primarily rural 3	54
b. High crime rate 1	Average crime rate 2	Low crime rate 3	55

c. High income 1	Middle income 2	Low income 3	56
d. High local criminal justice expenditures (non LEAA) 1	Average local criminal justice expenditures (non LEAA) 2	Low local criminal justice expenditures (non LEAA) 3	57
e. High state criminal justice expenditures (non LEAA) 1	Average state criminal justice expenditures (non LEAA) 2	Low state criminal justice expenditures (non LEAA) 3	58

5. Were there any comprehensive regional criminal justice planning activities in your region prior to the initiation of the Safe Streets program in 1968? (Circle appropriate nubmer)........... YES 1 NO 2 59

6. Please indicate which of the following criminal justice functions are generally performed by your agency. (Check all applicable)

60-_____a. Perform criminal justice planning for area of jurisdiction
61-_____b. Coordinate criminal justice planning by units of local government
62-_____c. Make planning subgrants to units of local government
63-_____d. Review applications from units of local government for action subgrants before submission to the SPA
64-_____e. Review applications from units of local government for action subgrants upon referral by the SPA or after receiving an information copy directly from the applicant
65-_____f. Make action subgrants to units of local government
66-_____g. Expend action funds as ultimate grantee

7. To what extent do the criminal justice planning activities of your agency generally involve the following functions? (Circle appropriate number for each)

	Great involvement (1)	Some involvement (2)	Little involvement (3)	No involvement (4)	
a. Establish program categories.................	1	2	3	4	67
b. Establish policies and priorities.............	1	2	3	4	68
c. Conduct public hearings	1	2	3	4	69
d. Analyze crime and criminal justice data..	1	2	3	4	70
e. Assist local agencies in developing plans....	1	2	3	4	71
f. Review local plans.....	1	2	3	4	72
g. Coordinate and assemble local plans............	1	2	3	4	73
h. Negotiate with state authorities............	1	2	3	4	74
i. Review and approve Annual Plan by RPU Supervisory Board......	1	2	3	4	75
j. A-95 review and comment	1	2	3	4	76

k. Other (specify)________ ____________________ ____________________..	1	2	3	4	77

8. A. Please rate the adequacy of Part B planning funds for carrying out assigned responsibilities at each of the following levels. (Circle appropriate number for each item)

	Excessive (1)	Adequate (2)	Inadequate (3)	
a. SPA..............................	1	2	3	7
b. RPU or other regional units........	1	2	3	8
c. Local government..................	1	2	3	9

B. Do you feel that the 60-40 pass-through formula for Part B planning funds provides the most appropriate division of planning resources between the state, regional, and local levels?............................... .... YES 1 NO 2 10

If "NO," please indicate the percentage of Part B funds each level should receive.

582

a. State..................................... ____________% (11-13)

b. Regional.................................. ____________% (14-16)

c. Local..................................... ____________% (17-19)

9. A. Has your agency experienced high turnover of Executive Directors?.. YES 1 NO 2 20

B. Has your agency experienced high turnover of criminal justice planners?.. YES 1 NO 2 21

COMMENTS: ____

____

____

____

II. SUPERVISORY BOARD COMPOSITION AND FUNCTIONS

10. A. How many members are currently on the RPU Supervisory Board? (Specify number).. ____________ (22-23)

B. On the average, what percentage of the members attend meetings?.. ____________% (24-26)

C. How are members selected?

27 ______a. Appointed by local governments
28 ______b. Appointed by the governor
29 ______c. Other (specify)____________________________________

D. What is their tenure?...................................... ________years (30-31)

11. A. Can RPU Supervisory Board members send representatives to Board meetings?.. YES 1 NO 2 32

If "YES," are these representatives allowed to vote?..... YES 1 NO 2 33

B. Do local elected chief executive or legislative officials often send criminal justice officials to represent them at RPU meetings?.. YES 1 NO 2 34

12. Please characterize the membership of the RPU Supervisory Board by both (A) criminal justice representation and (B) local government representation. That is, a member should be included under the criminal justice functional area he or she represents and the local government he or she represents. Each cateogry should total 100% of the membership. Also, please check the appropriate column if you think any of these groups (1) are overrepresented, (2) are underrepresented, or (3) exercise very strong influence on Board decision-making.

583

A. Criminal Justice Representation	% on RPU board	Over-represented (1)	Under-represented (2)	Very influential (3)	
1. Police......................	___% (35-37)	1	2	3	38
2. Courts......................	___% (39-41)	1	2	3	42
3. Prosecution and defense.....	___% (43-45)	1	2	3	46
4. Corrections.................	___% (47-49)	1	2	3	50
5. Juvenile delinquency........	___% (51-53)	1	2	3	54
6. Public......................	___% (55-57)	1	2	3	58
7. Other (specify)____________ ________________________	___% (59-61)	1	2	3	62
	100%				
B. Local Government Representation					
1. County government					
a. Elected chief executive or legislative officials.	___% (63-65)	1	2	3	66
b. Elected law enforcement officials...............	___% (67-69)	1	2	3	70
c. Appointed officials......	___% (71-73)	1	2	3	74
2. City government					
a. Elected chief executive or legislative officials.	___% (75-77)	1	2	3	78
b. Elected law enforcement officials...............	___% (7-9)	1	2	3	10

c. Appointed officials......	____% (11-13)	1	2	3	14
3. Public.....................	____% (15-17)	1	2	3	18
4. Other (specify)____________ ________________________..	____% (19-21)	1	2	3	22
	100%				

13. Does your Supervisory Board have an advisory council or subcommittees which deal with criminal justice matters?

a. Advisory council	YES 1	NO 2	23
b. Subcommittees..	YES 1	NO 2	24

If "YES," please describe the composition and functions of the advisory council or subcommittees and their role in the RPU decision-making process.

584 ____

____

____

____

14. In your opinion, what have been the effects of the 1973 amendment to the Safe Streets Act that a majority of the RPU board consist of local elected officials? (Check all applicable)

25-_____a. Increased influence of chief executive and legislative officials in RPU decision-making
26-_____b. Reduced influence of criminal justice functional representatives in RPU decision making
27-_____c. Made programming more realistic in terms of local budgeting considerations
28-_____d. No effect
29-_____e. Other (specify)____

15. If your agency develops an annual criminal justice plan, to what extent does the RPU Supervisory Board take an active and influential role in reviewing and approving specific activities in the Annual Plan? (Circle one)

a. Sets board policies and priorities only..............................	1	30
b. Reviews and approves general activities............................	2	
c. Reviews and approves specific activities............................	3	
d. Accepts staff recommendations with review.........................	4	
e. Accepts staff recommendations without review......................	5	
f. Other (specify)_______________________________________...	6	

16. To what extent does the Supervisory Board of your agency take an active and influential role in reviewing and approving specific applications for Safe Streets funding? (Circle one)

a. All approval and disapproval authority delegated to RPU staff..........	1	31
b. Supervisory Board approves and disapproves applications above a certain dollar amount (Specify dollar amount.............. $______________).. (32-37)	2	

c. Supervisory Board approves and disapproves all applications normally without individual discussion except for a problem or controversial case.. 3

d. Supervisory Board approves and disapproves all applications, normally after discussing each of them.. 4

e. Other (specify)____
____.. 5

17. To what extent does representation on the RPU Supervisory Board determine which agencies and jurisdictions receive Safe Streets funds? (Circle one)

Crucial	Very important	Somewhat important	Not at all important	
1	2	3	4	38

18. In general, how often is the need to accommodate particular jurisdictional or functional interests the determining factor in the decisions of the RPU Supervisory Board? (Circle one)

Always	Often	Sometimes	Rarely	Never	
1	2	3	4	5	39

Please explain: ____
____
____
____

19. In general, how do members perceive their role on the Supervisory Board? (Circle one)

a. As regional decision-makers... 1 40
b. As spokesmen for their functional or jurisdictional interest........... 2
c. As local government representatives................................... 3
d. Other (specify)____... 4

III. FUNDING

20. Does the SPA indicate, by formula or other means, the percentage of each year's Part C action funds each region will receive?.. YES 1 NO 2 41

If "YES," A. When does this take place with respect to local and regional plan preparation? (Circle one)

a. Before preparation of the Regional Plan................. 1 42
b. After review and consideration of the Regional Plan by the SPA.. 2

B. What criteria or formulas are used to determine the division of funds among the regions?

____
____
____
____

C. If there are no established criteria or formulas, on what basis are funds distributed to the RPUs?

____

____

____

____

21. A. What percentage of your state's total 1974 Part C block grant funds did your region receive?........................ ____________% (43-45)

B. Do you feel that your region received a fair share of Safe Streets funds compared to other regions?.................... YES 1 NO 2 46

22. In your region, are local jurisdictions with greater criminal justice problems and needs receiving a proportionately greater share of block grant funds?................................. YES 1 NO 2 47

23. Does your RPU establish its own funding policies and priorities?.. YES 1 NO 2 48

586

If "YES," how often do these priorities conflict with those established by the SPA? (Circle one)

Usually	Sometimes	Rarely	Never	
1	2	3	4	49

24. Does your agency prepare an annual criminal justice plan?...... YES 1 NO 2 50

If "YES," A. Does the RPU select which specific local activities will be included in the regional annual plan from among a larger number of local projects proposed, accepting some while rejecting others?.............................. YES 1 NO 2 51

B. Does the RPU usually accept local government project decisions and incorporate them into the regional annual plan with few changes?......... YES 1 NO 2 52

C. To what extent has the SPA's allocation of funds in particular categories for different purposes limited flexibility in your regional planning process? (Circle one)

Greatly	Moderately	Very little	Not at all	
1	2	3	4	53

25. A. Approximately what percentage of those projects in your region which were initiated with Safe Streets funds, but which no longer receive Safe Streets funds, are continuing to operate with state or local government support?

a. State government supported................................ ____________% (54-56)

b. Local government supported............................ ___________%
(57-59)

B. To what extent are the following factors important in determining whether a project previously funded by Safe Streets funds will be supported by local governments? (Circle appropriate number for each)

	Very important (1)	Moderately important (2)	Of little importance (3)	Unimportant (4)	
a. Proven success of the project.	1	2	3	4	60
b. Ability of the governmental unit to support the project...	1	2	3	4	61
c. Functional area of the project (police, courts, corrections, etc.).........................	1	2	3	4	62
d. Innovativeness of the project.	1	2	3	4	63
e. Non-controversial nature of the project..................	1	2	3	4	64
f. Political appeal or support of the project..................	1	2	3	4	65
g. Other (specify)______________ ______________________________ ____________________________...	1	2	3	4	66

26. A. Approximately how many weeks does it usually take during the award process from the development of the application through the receipt of funds by the subgrantee?............ ________weeks
(67-68)

B. Please indicate if there are significant delays in the subgrant award process.

____

____

____

C. Is there a mechanism for RPU or local review of state projects which will have an impact on the region?.......... YES 1 NO 2 69

27. In your opinion, to what extent have Safe Streets funds supplanted or replaced previously budgeted state and local expenditures rather than being used to support new programs? (Circle one for each)

	Often (1)	Sometimes (2)	Rarely (3)	Never (4)	
a. State...........................	1	2	3	4	70
b. Local...........................	1	2	3	4	71

28. Please indicate which of the following kinds of restrictions and requirements placed on the use of Safe Streets funds have had the most serious adverse effects on your RPU's ability to carry out its responsibilities. Also, please describe briefly the most troublesome restrictions or requirements of each type.

72-_____a. Federal or state statutory requirements (specify)

73-____b. LEAA administrative requirements (specify)

74-____c. SPA administrative requirements (specify)

588 75-____d. Other state administrative requirements (specify)

76-____e. Local ordinances (specify)

77-____f. Allocation of criminal justice functions among jurisdictions within the region

(For purposes of the next section, monitoring will be defined as on-site assessment of the progress, problems, and results to date of a project. Evaluation will be defined as an in-depth analysis of the overall results and impact of a project in meeting its objectives.)

29. Does your RPU have a substantial role in project monitoring or program evaluation?.. YES 1 NO 2 7

If "YES," A. Are your staff and other resources adequate for carrying out this role?......................... YES 1 NO 2 8

B. Has the SPA provided guidelines, training, and other forms of assistance to ensure adequate monitoring and evaluation? .... YES 1 NO 2 9

30. Is monitoring information actually used to modify the operations of projects and affect RPU planning and funding decisions?...... YES 1 NO 2 10

31. A. What percentage of your projects do you evaluate each year? (Do not include routine monitoring efforts).................. ____________% (11-13)

B. What percentage of total Safe Streets funds in your region do you evaluate?.. ____________% (14-16)

32. To what extent have the evaluations that your RPU has conducted had an effect in the following areas? (Circle appropriate number for each)

	Great influence (1)	Moderate influence (2)	Minor influence (3)	No influence (4)	
a. Project refunding.................	1	2	3	4	17
b. On-going modification of projects.	1	2	3	4	18
c. Provided feedback to the planning process..........................	1	2	3	4	19
d. Assumption of project costs by state and local government........	1	2	3	4	20

IV. GENERAL ISSUES

33. In your opinion, what success [illegible] afe Streets funds had in reducing crime or slowing the growth in the crime [illegible]e? (Circle one)

Great success	Moderate success	Little success	No success	21
1	2	3	4	

34. Considering the nature of crime and the amount of Safe Streets Act funds involved, what kind of reduction in crime should reasonably be expected as a result of the block grant program? (Circle one)

Great reduction	Moderate reduction	Little reduction	No reduction	22
1	2	3	4	

35. In your opinion, to what extent would the crime rate have been greater today if Safe Streets Act funds had not been available over the past six years? (Circle one)

Far greater	Moderately greater	Slightly greater	No greater	23
1	2	3	4	

36. Please rank each of the following in terms of what you think to be its importance as an objective of the Safe Streets program (1 = most important objective; 5 = least important objective). If it is not an objective, check the far right column.

Possible objectives	Rank (1-5)	Not an objective (6)	
a. Provide state and local governments with a comprehensive criminal justice planning capacity......................	____	________	24
b. Provide funds to supplement state and local criminal justice budgets..	____	________	25
c. Provide funds to support innovative, pilot, and demonstration criminal justice programs................	____	________	26
d. Replace existing criminal justice expenditures by state and local governments................................	____	________	27
e. Give state and local governments greater latitude and flexibility in the use of federal funds for law enforcement and criminal justice.......................	____	________	28
f. Other (specify)____ ____..	____	________	29

37. Has your RPU played a role in the use of general revenue sharing funds by local governments for criminal justice purposes?... YES 1 NO 2 30

38. Over the past six years, to what extent have the various components of the criminal justice system in your region begun:

a. to view themselves as part of a highly integrated and interdependent system? (Circle one)

Very much	Somewhat	Not at all	31
1	2	3	

b. to function as part of an interdependent system? (Circle one)

Very much	Somewhat	Not at all	32
1	2	3	

39. Which components of the criminal justice system have not participated in this trend and why?

____
____
____
____
____
____
____
____

40. In your opinion, what legislative or administrative changes are needed in the Safe Streets program to improve block grant operation?

____
____
____
____
____
______________________________________ ________________________

Please return to:

Advisory Commission on
Intergovernmental Relations
726 Jackson Place, N.W.
Washington, D.C. 20575

ATTN: Safe Streets Project Staff

591

Appendix C

Advisory Commission on Intergovernmental Relations

1975 Safe Streets Act Questionnaire

Municipal and County Elected Officials

Respondent ______________________ **Phone** ______________________

Position ______________________

This questionnaire should be completed by the chief executive officer or his or her representative.

1. Please rank each of the following in terms of what you consider to be its importance as an objective of the Safe Streets program. (1 = most important objective; 5 = least important objective.) If it is not an objective, check the far right column.

Possible objectives	Rank (1-5)	Not an objective (6)	
a. Provide state and local governments with a comprehensive criminal justice planning capacity..........................	_____	_________	7
b. Provide funds to supplement state and local criminal justice budgets..	_____	_________	8
c. Provide funds to support innovative pilot and demonstration criminal justice programs..........................	_____	_________	9
d. Replace existing criminal justice expenditures by state and local governments..................................	_____	_________	10
e. Give state and local governments greater latitude and flexibility in the use of federal funds for law enforcement and criminal justice..........................	_____	_________	11
f. Other (specify)________________________________ ______________________________________...	_____	_________	12

2. Has your city or county received Safe Streets Act funds from either the State Planning Agency (SPA) or a Regional Planning Unit (RPU) since 1969? (Circle number)........................ YES 1 NO 2 13

If "YES," A. How many separate grants? (Specify number)

From SPA ____________ (14-15) From RPU ____________ (16-17)

B. Approximately what is the total amount of funds received to date?............................ $____________ (18-25)

I. STATUS OF LOCAL CRIMINAL JUSTICE PLANNING

3. Were there any comprehensive criminal justice planning activities in your jurisdiction prior to the initiation of the Safe Streets program in 1968? (Circle number)................. YES 1 NO 2 26

If "YES," please describe the nature of these activities and the agency(s) responsible for performing them.

____

____

____

4. A. Which of the following has primary responsibility for the planning and administration of Safe Streets Act funds in your jurisdiction? (Check one only unless this responsibility is *shared* by a local planning unit, a Criminal Justice Coordinating Council, a Regional Planning Unit, or multiple local planning units.)

27-_____a. Mayor's office
28-_____b. County Chief Executive's office
29-_____c. District Attorney's office
30-_____d. City Manager's office
31-_____e. County Manager's office
32-_____f. Department of Public Safety
33-_____g. Department of Human Resources
34-_____h. Police Department
35-_____i. County Sheriff's Office
36-_____j. Citywide Criminal Justice Coordinating Council
37-_____k. City-county Criminal Justice Coordinating Council
38-_____l. Regional Planning Commission
39-_____m. Council of Governments
40-_____n. Regional office of SPA
41-_____o. Other (specify)____________
____
____

B. In what year was this office established?.................... 19_______ 42-43

C. Was this office created specifically for the planning and administration of Safe Streets Act funds? (Circle number).... YES 1 NO 2 44

D. How many professional staff members of this office spend full-time on criminal justice activities? (Specify number)... _______ 45-46

E. Which of the following tasks related to the Safe Streets Act does the office perform? (Check appropriate items)

47-_____a. Grant proposal writing
48-_____b. Development of comprehensive criminal justice plan
49-_____c. Program planning
50-_____d. Fiscal monitoring
51-_____e. Project evaluation
52-_____f. Guideline review
53-_____g. Other (specify)____________
____
____

5. A. How much Safe Streets Act Part B planning funds did your jurisdiction receive in FY '74?............................ $____________ (54-60)

B. How much Safe Streets Act Part C action funds did your jurisdiction use for criminal justice planning purposes in FY '74?... $__________

(61-68)

6. Please rate the adequacy of Safe Streets Part B planning funds for carrying out the criminal justice planning responsibilities of your jurisdiction. (Circle appropriate number)

Excessive	Sufficient	Inadequate	69
1	2	3	

II. REGIONAL PLANNING UNIT (RPU) RELATIONSHIPS

7. Does the Regional Planning Unit (RPU) serving your jurisdiction engage in an annual planning process for criminal justice activities? (Circle appropriate number)..................... YES 1 NO 2 NOT APPLICABLE 3 70

8. How would you describe your RPU's capacity to plan for the effective use of block grant funds? (Circle only one)

a. Highly developed planning capacity................................... 1 71
b. Adequate planning capacity... 2
594 c. Inadequate planning capacity... 3

9. To what extent do the (a) state comprehensive plan and (b) regional plan reflect and incorporate the criminal justice needs and priorities of your jurisdiction? (Circle appropriate number for each)

(a) State Comprehensive Plan

Significantly	Adequately	Very little	Not at all	72
1	2	3	4	

(b) Regional Plan

Significantly	Adequately	Very little	Not at all	73
1	2	3	4	

10. For both the SPA Supervisory Board and the RPU Supervisory Board, please indicate by circling the appropriate number which of the following groups (1) exercise the *most influence* on the decisions of the SPA and RPU Supervisory Boards; (2) are *overrepresented* on the SPA and RPU Supervisory Boards; and (3) are *underrepresented* on the SPA and RPU Supervisory Boards.

	SPA Board			RPU Board		
	Most influential (1)	Over-represented (1)	Under-represented (2)	Most influential (1)	Over-represented (1)	Under-represented (2)
1. a. Police........................	1 7	1	2 8	1 9	1	2 10
b. Courts........................	1 11	1	2 12	1 13	1	2 14
c. Prosecution and defense........	1 15	1	2 16	1 17	1	2 18

d. Corrections....................	1^{19}	1	2^{20}	1^{21}	1	2^{22}
e. Juvenile delinquency...........	1^{23}	1	2^{24}	1^{25}	1	2^{26}
f. Public.........................	1^{27}	1	2^{28}	1^{29}	1	2^{30}
2. State government						
a. Elected officials..............	1^{31}	1	2^{32}	1^{33}	1	2^{34}
b. Appointed officials............	1^{35}	1	2^{36}	1^{37}	1	2^{38}
3. County government						
a. Elected chief executive or legislative officials..........	1^{39}	1	2^{40}	1^{41}	1	2^{42}
b. Elected law enforcement officials.....................	1^{43}	1	2^{44}	1^{45}	1	2^{46}
c. Appointed officials............	1^{47}	1	2^{48}	1^{49}	1	2^{50}
4. City government						
a. Elected chief executive or legislative officials..........	1^{51}	1	2^{52}	1^{53}	1	2^{54}
b. Elected law enforcement officials.....................	1^{55}	1	2^{56}	1^{57}	1	2^{58}
c. Appointed officials............	1^{59}	1	2^{60}	1^{61}	1	2^{62}
5. Public.........................	1^{63}	1	2^{64}	1^{65}	1	2^{66}
6. Other (specify)________________ ______________________________..	1^{67}	1	2^{68}	1^{69}	1	2^{70}

11. In your opinion, what have been the effects of the 1973 amendment to the Safe Streets Act that a majority of the RPU Board consist of local elected officials? (Check all applicable) 595

71-_____a. Increased influence of chief executive and legislative officials in RPU decision-making
72-_____b. Reduced influence of criminal justice functional representatives in RPU decision-making
73-_____c. More realistic programming in terms of local budgeting considerations
74-_____d. No effect
75-_____e. Other (specify)____

12. Do you perceive RPU criminal justice planners as being mainly local or state personnel? (Circle one)

Local	State	Don't know 7
1	2	3

13. Please indicate the quality of technical assistance you receive from the SPA and RPU in the following areas. (Circle the appropriate number for each)

	Excellent		Adequate		Inadequate		None	
	SPA (1)	RPU (2)	SPA (1)	RPU (2)	SPA (1)	RPU (2)	SPA (1)	RPU (2)
a. Planning assistance.........	1^{8}	2^{9}	1^{10}	2^{11}	1^{12}	2^{13}	1^{14}	2^{15}
b. Application development.....	1^{16}	2^{17}	1^{18}	2^{19}	1^{20}	2^{21}	1^{22}	2^{23}
c. Project implementation and operation...................	1^{24}	2^{25}	1^{26}	2^{27}	1^{28}	2^{29}	1^{30}	2^{31}
d. Evaluation..................	1^{32}	2^{33}	1^{34}	2^{35}	1^{36}	2^{37}	1^{38}	2^{39}
e. Other (specify)____________ ________________________..	1^{40}	2^{41}	1^{42}	2^{43}	1^{44}	2^{45}	1^{46}	2^{47}

III. FUNDING

14. A. With which of the following are most of your communications concerning fund availability and application procedures for Safe Streets Act funds? (Circle appropriate number)

a. The SPA.. 1 48
b. The RPU.. 2

B. Who has the most influence in determining which activities and jurisdictions receive Safe Streets action funds? (Circle appropriate number)

a. The SPA.. 1 49
b. The RPU.. 2

15. How much of the following types of Safe Streets funds did your jurisdiction receive in FY '74?

a. Part C action funds.. $____________ 50-57
b. Part E corrections funds.................................. $____________ 58-64
c. Discretionary funds other than Impact or Pilot City......... $____________ 65-71

596 16. As you know, the Safe Streets Act requires that a certain percentage of Part C action funds be "passed-through" from the state/regional units to local jurisdictions. Do you feel that the amount of funds "passed-through" is equitable and reflects a balance between state/local needs?.......................... YES 1 NO 2 72

If "NO," which level should receive more? (Circle one)

a. State.. 1 73
b. Local.. 2

17. Given its population and crime rate, do you feel that your jurisdiction receives a fair share of Safe Streets Part C action funds as compared with other jurisdictions in your region?.. YES 1 NO 2 74

If "NO," to what extent do the following factors account for your jurisdiction's receiving less than its fair share of funds? (Circle appropriate number for each factor)

	Major factor (1)	Contributing factor (2)	Minor factor (3)	Not a factor (4)	
a. Inability to provide matching funds......................	1	2	3	4	7
b. Inadequate representation on the SPA Supervisory Board....	1	2	3	4	8
c. Inadequate representation on the RPU Supervisory Board....	1	2	3	4	9
d. Unwillingness to apply for Safe Streets funds because of inability to assume continuation costs..................	1	2	3	4	10
e. Inadequate allocation formula or criteria of the:					
i. SPA.....................	1	2	3	4	11
ii. RPU.....................	1	2	3	4	12

f. Weak political position of jurisdiction vis-a-vis other local criminal justice agencies or jurisdictions in the state..................	1	2	3	4	13
g. Other (specify)______________ ______________________...	1	2	3	4	14

18. Have you experienced any major delays since 1973 in the grant award process?.. YES 1 NO 2 15

If "YES," what factors have contributed to these delays?

____

____

____

____

____

____

19. A. Approximately what percentage of the projects which were initiated in your jurisdiction with Safe Streets Act funds, but which no longer receive such grant funds, are continuing to operate with local government support?.................. ____________% (16-18)

B. To what extent are the following factors important in determining whether a project previously funded by Safe Streets Act funds will be supported by your local government? (Circle appropriate number for each factor)

	Very important (1)	Somewhat important (2)	Of little importance (3)	Unimportant (4)	
a. Proven success of the project (in terms of its own objectives)...........	1	2	3	4	19
b. Ability of the government unit to support the project....................	1	2	3	4	20
c. Functional area of the project (police, courts, corrections, etc.)........	1	2	3	4	21
d. Innovativeness of the project..................	1	2	3	4	22
e. Non-controversial nature of the project............	1	2	3	4	23
f. Political strength of the project..................	1	2	3	4	24
g. Other (specify)___________ ______________________...	1	2	3	4	25

20. In your opinion, have any of the restrictions and requirements placed on the use of Safe Streets funds had serious adverse effects on your jurisdiction's ability to carry out criminal justice programs?.. YES 1 NO 2 26

If "YES," please specify the restrictions and requirements.

21. In your opinion, to what extent have Safe Streets funds supplanted or replaced previously budgeted local expenditures rather than being used to support new programs? (Circle one)

Often	Sometimes	Rarely	Never	
1	2	3	4	27

22. How would you describe your satisfaction with the current LEAA match requirement (90% federal, 5% state buy-in, and 5% local funds)? (Circle one)

Very satisfied	Moderately satisfied	Moderately unsatisfied	Very unsatisfied	
1	2	3	4	28

598 23. How often do the SPA staff and the RPU staff monitor (i.e., on-site periodic assessment of on-going operations) local projects and programs? (Circle appropriate number)

	Weekly (1)	Monthly (2)	Quarterly (3)	Annually (4)	Never (5)	Don't know (6)	
a. SPA staff.................	1	2	3	4	5	6	29
b. RPU staff.................	1	2	3	4	5	6	30

24. How often do the SPA staff and the RPU staff evaluate (i.e., in-depth analysis of overall results) local projects and programs? (Circle appropriate number)

	Weekly (1)	Monthly (2)	Quarterly (3)	Annually (4)	Never (5)	Don't know (6)	
a. SPA staff.................	1	2	3	4	5	6	31
b. RPU staff.................	1	2	3	4	5	6	32

25. A. Please indicate the evaluation system with which you are most familiar. (Circle one)

a. SPA..	1	33
b. RPU..	2	

B. To what extent has this evaluation system affected the following areas? (Circle one for each)

	Great influence (1)	Moderate influence (2)	Minor influence (3)	No influence (4)	
a. Project refunding.............	1	2	3	4	34
b. On-going modification.........	1	2	3	4	35
c. Assumption of project costs by state and local governments...	1	2	3	4	36

d. Developing new funding priorities....................	1	2	3	4	37
e. Other (specify)______________ ____________________________..	1	2	3	4	38

26. How would you rate your SPA's and RPU's evaluation system? (Circle one for each)

(a) State Planning Agency

Excellent	Good	Fair	Poor	Should be abolished	
1	2	3	4	5	39

(b) Regional Planning Unit

Excellent	Good	Fair	Poor	Should be abolished	
1	2	3	4	5	40

27. In your jurisdiction, to what extent have LEAA discretionary funds been used for the following purposes. (Circle appropriate number)

	Always (1)	Often (2)	Sometimes (3)	Rarely (4)	Never (5)	Not applicable (6)	
a. To continue support of existing programs......	1	2	3	4	5	6	41
b. To support innovative programs...............	1	2	3	4	5	6	42
c. To build local jurisdictional support for the program............	1	2	3	4	5	6	43
d. Research, demonstration and pilot programs.....	1	2	3	4	5	6	44
e. Other (specify)________ ____________________ ____________________..	1	2	3	4	5	6	45

28. How much and what proportion of your jurisdiction's general revenue sharing funds have been used for the following criminal justice purposes? (If none for any category, indicate zero [0] for the dollar amount and percentage)

	FY 1973		FY 1974		FY 1975	
a. Police.......	$________ (46-53)	___% (54-56)	$________ (57-64)	___% (65-67)	$________ (68-75)	___% (76-78)
b. Courts.......	$________ (7-14)	___% (15-17)	$________ (18-25)	___% (26-28)	$________ (29-36)	___% (37-39)
c. Prosecution and defense..	$________ (40-47)	___% (48-50)	$________ (51-58)	___% (59-61)	$________ (62-69)	___% (70-72)
d. Corrections..	$________ (7-14)	___% (15-17)	$________ (18-25)	___% (26-28)	$________ (29-36)	___% (37-39)
e. Juvenile delinquency..	$________ (40-47)	___% (48-50)	$________ (51-58)	___% (59-61)	$________ (62-69)	___% (70-72)

29. Have the SPA or the RPU played any role in determining the use of general revenue sharing funds in your jurisdiction?

a. SPA.. YES 1 NO 2 73
b. RPU.. YES 1 NO 2 74

30. Please describe any differences in the use to which Safe Streets Act funds and general revenue sharing funds have been put in the criminal justice area.

31. In your opinion, what success have Safe Streets Act funds had in reducing crime or slowing the growth of the crime rate in your jurisdiction? (Circle appropriate number)

Great success	Substantial success	Moderate success	Little success	No success	
1	[✓ 2]	3	4	5	75

600

32. Considering the nature of crime and the amount of Safe Streets Act funds involved, what kind of reduction in crime should reasonably be expected as a result of the Safe Streets program? (Circle appropriate number)

Great reduction	Substantial reduction	Moderate reduction	Slight reduction	No reduction	
1	2	3	4	5	76

33. In your opinion, to what extent would the crime rate in your jurisdiction have been greater today if Safe Streets Act funds had not been available over the past six years? (Circle appropriate number)

Substantially greater	Moderately greater	Slightly greater	No greater	
1	2	3	4	77

34. What have been the most important improvements in your jurisdiction's criminal justice system since 1969? To what extent have Safe Streets Act funds been influential in bringing about these improvements?

35. Since the Safe Streets Act is scheduled for renewal in this Congress, what recommendations would you make to improve the program?

601

PLEASE RETURN TO:

Advisory Commission on
Intergovernmental Relations
726 Jackson Place, N.W.
Washington, D.C. 20575

ATTN: Safe Streets Project Staff

APPENDIX D

Responses to County Questionnaires
ACIR 1975 Safe Streets Survey
October 1975

Classification	Number of Counties Surveyed	Counties Responding No.	Counties Responding %
TOTAL ALL COUNTIES	2244	664	30
Population group			
Over 500,000	70	40	57
250,000 - 500,000	72	37	51
100,000 - 249,999	191	76	40
50,000 - 99,999	330	95	29
25,000 - 49,999	568	158	28
10,000 - 24,999	1013	258	25
5,000 - 9,999	0	0	0
2,500 - 4,999	0	0	0
Under 2,500	0	0	0
Geographic region			
Northeast	191	71	37
North Central	736	222	30
South	1070	272	25
West	247	99	40
Metro status			
Metro	607	228	38
Non metro	1637	436	27
Form of Government			
Without administrator	1850	485	26
With administrator	394	179	45
Unknown	0	0	0

APPENDIX D

Responses to City Questionnaires
ACIR 1975 Safe Streets Survey
October 1975

Classification	Number of Cities Surveyed	Cities Responding	
		No.	%
TOTAL ALL CITIES	2301	1017	44
Population group			
Over 500,000	27	16	59
250,000 - 500,000	30	19	63
100,000 - 249,999	97	68	70
50,000 - 99,999	256	125	49
25,000 - 49,999	535	235	44
10,000 - 24,999	1356	554	41
5,000 - 9,999	0	0	0
2,500 - 4,000	0	0	0
Under 2,500	0	0	0
Geographic region			
Northeast	712	229	32
North Central	675	328	49
South	543	253	47
West	371	207	56
Metro/City type			
Central	363	205	56
Suburban	1311	545	42
Independent	627	267	43
Form of government			
Mayor-council	926	363	39
Council-manager	1135	587	52
Commission	119	40	34
Town meeting	79	17	22
Rep. town meeting	42	10	24

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(NOVEMBER 1976)

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what is ACIR?

The Advisory Commission on Intergovernmental Relations (ACIR) was created by the Congress in 1959 to monitor the operation of the American federal system and to recommend improvements. ACIR is a permanent national bipartisan body representing the executive and legislative branches of Federal, state, and local government and the public.

The Commission is composed of 26 members – nine representing the Federal government, 14 representing state and local government, and three representing the public. The President appoints 20 – three private citizens and three Federal executive officials directly and four governors, three state legislators, four mayors, and three elected county officials from slates nominated by the National Governors' Conference, the Council of State Governments, the National League of Cities/U.S. Conference of Mayors, and the National Association of Counties. The three Senators are chosen by the President of the Senate and the three Congressmen by the Speaker of the House.

Each Commission member serves a two year term and may be reappointed.

As a continuing body, the Commission approaches its work by addressing itself to specific issues and problems, the resolution of which would produce improved cooperation among the levels of government and more effective functioning of the federal system. In addition to dealing with the all important functional and structural relationships among the various governments, the Commission has also extensively studied critical stresses currently being placed on traditional governmental taxing practices. One of the long range efforts of the Commission has been to seek ways to improve Federal, state, and local governmental taxing practices and policies to achieve equitable allocation of resources, increased efficiency in collection and administration, and reduced compliance burdens upon the taxpayers.

Studies undertaken by the Commission have dealt with subjects as diverse as transportation and as specific as state taxation of out-of-state depositories; as wide ranging as substate regionalism to the more specialized issue of local revenue diversification. In selecting items for the work program, the Commission considers the relative importance and urgency of the problem, its manageability from the point of view of finances and staff available to ACIR and the extent to which the Commission can make a fruitful contribution toward the solution of the problem.

After selecting specific intergovernmental issues for investigation, ACIR follows a multistep procedure that assures review and comment by representatives of all points of view, all affected levels of government, technical experts, and interested groups. The Commission then debates each issue and formulates its policy position. Commission findings and recommendations are published and draft bills and executive orders developed to assist in implementing ACIR policies.